

Keweenaw County
Planning Commission and
County Board of Commissioners
Staff Report
October 15, 20204
Conversion of 2017 Land Use Map to Zoning Map

Planning Commission Meeting Date: 4:00 PM October 27th, 2020

Board of Commissioners Meeting Date: T B D

Subject: Public Hearing to convert the Land Use Map, adopted in October 2017 to the New Zoning Map
Attachments:

Current Future Land Use Map
Current Zoning Map

GENERAL INFORMATION

In 2016 & 2017 over 8 public meetings and two public hearings were held to discuss the future land use of Keweenaw County. The recommendations were incorporated into the future land use map at that time. The public hearings were held at the Planning Commission Level as well as at the Board of Commissioners level. Both Commissions approved the Future Land Use Map.

Some of the changes to the map at that time were, changing from extraction district to manufacturing, creating a 660' strip of country estate along the Lac La Belle Road from US 41 down to the Ski Hill, also along the Mohawk Gay Road, and the Gay to Lake Linden Road, allowing for 5 acre developments. A similar strip was created along Cliff Drive as Agriculture, for the same reason. During the meetings held in Sherman Township, residents wanted Fifth Street to be the same zoning as in town, R-1. Copper Harbor requested the entire harbor be zoned the same. It is now all set as RS 1. The other change is the conversion of 'current' Exempt parcel to CEP.

APPLICABLE REGULATIONS

4.3.2 Agricultural District: The Agricultural District (AG) is designed to provide for the continuation of the limited agricultural activities that remain in the county along with certain compatible uses. These areas are designed to protect those areas suitable for agricultural pursuits and to encourage "hobby" farms within the county. It is also the purpose of this district to prevent the mixture of urban and rural uses which creates incompatibility and conflict, places unbalanced tax loads on agricultural lands to help pay for urban services, and contributes to the premature termination of agricultural pursuits. Open space and clustered development with large areas of permanently protected open space are encouraged in order to protect the character of the county.

4.3.6 Conservation Environmental Protection District: The Conservation Environmental Protection District (CEP) has been created to account for lands designated as part of an open space system to preserve total environmental character, particularly in connection with conserving significant natural resource characteristics found within the county and encouraging multiple use recreation and forest activities where appropriate. This district, therefore, has been developed for conserving land areas which are:

- • Subject to periodic flooding.
- • To be kept open to preserve unique ecosystems and endangered species, i.e. wetlands.
- • To be kept open to protect sources of water supplies, i.e., aquifer recharge, discharge, and potential water
- • impoundment areas.
- • To protect scenic viewsheds that define the wilderness and waterfront beauty of the county.
- • To be kept open from development because of unsuitable and unstable soil conditions.
- • To be kept open for general conservation purposes such as the preservation of hydrologic functions
- of
- • adjacent tributary stream land areas and the preservation of timber resource areas.
-

Lands include those that are currently or are soon to be held in conservancy ownership, public lands (or soon to be) that have been identified for preservation and compatible recreation, undevelopable coastline where preservation is in the best public interest, and those lands where owner intention has indicated future conservation efforts.

4.3.7 Country Estate District: The Country Estate District (CE) is established to provide for large lot single-family residential development. The purpose of these areas is to provide for a recommended minimum of five (5) acre lots, and to preserve the rural-open character of the community. Cluster development through open space design is both promoted and encouraged in these areas provided at least fifty (50) percent of the site is permanently retained as open space.

4.3.8 Single Family Residential District: The Single Family Residential District (R-1) is one of two urban residential districts established to provide the full range of residential housing types in an urban environment where all of the facilities for urban living, including community sewer and water facilities, are available. This district is intended for use within the core communities of Allouez, Ahmeek, Fulton, Mohawk, Gay and Eagle Harbor.

4.3.11 Resort Service District: This is a mixed business/residential district. The purpose of the Resort Service District (RS) is to provide recreation or vacation convenience goods and services (restaurants, lodging, small gift shops, outdoor outfitters, etc.) for families living in or tourists using the variety of resort or vacation areas in the county. Development should be limited to those uses that are compatible with the character of Keweenaw County. The RS-1 District accommodates existing lots with 60 feet of frontage, but it is the intent of this Ordinance to prohibit the creation of any additional lots that are only 60 feet in width.

4.3.13 Light Manufacturing District: The Light Manufacturing District (M-1) is established to provide areas for light industrial, office and administrative uses having few, if any, adverse effects on neighboring properties. The M-1 use has been identified for areas along US-41 and in Mohawk where compatible with the surrounding property. Because of the proximity to residential homes, high standards of neighborliness are expected in these areas.

4.3.14 General Manufacturing District: The general Manufacturing District (M-2) is established to provide areas in which manufacturing and related commercial operations are the principal use of land. Such uses have some adverse effects on surrounding properties, and are not compatible with residential and retail uses.

REQUESTED ACTION AND PURPOSE

18.17.1 Public Hearing Procedures: All public hearings including but not limited to amendments to the text of this Ordinance and Zoning Map on a rezoning; Conditional Rezoning; Planned Unit Development Permits; Condominium Project Permits, Special Land Use Permits; and Variances, Ordinance Interpretations and Appeals, held pursuant to this Ordinance shall comply with the following procedures.

20.1

It is the purpose of this Article to establish the procedures and standards for amendment of the text and Zoning Map of this Ordinance.

Section 20.2 INITIATION OF AMENDMENTS

A. The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Zoning Map of Keweenaw County may be amended pursuant to the County Zoning Act, Public Act 110 of 2006.

B. Amendments may be initiated by the Board of Commissioners, the Planning Commission, a Township Board of Trustees whose township is under the jurisdiction of this Ordinance or by petition of one or more persons having an interest in the property to be affected by the proposed amendment. Each petition for amendment shall be submitted to the Zoning Administrator who shall refer it for recommended action to the Planning Commission.

Section 20.4 AMENDMENT PROCEDURES

A. All petitions for text amendment, rezoning or Zoning Map change shall be submitted and reviewed per the requirements of Article XVIII and of this Article.

Section 20.6 PUBLIC HEARING

- A. The Planning Commission shall establish a date for and conduct at least one (1) public hearing at a regular or special meeting on each petition for amendment; notice of which shall be given pursuant to the requirements of Section 18.16.
- C. If an individual property or several adjacent properties are proposed for rezoning; notice shall be given pursuant to the requirements of Section 18.16.
- D. The Planning Commission shall conduct the public hearing consistent with the hearing procedures in Section 18.17.

FINDINGS OF FACT

1. What, if any, identifiable conditions related to the petition have changed which justify the petitioned change in zoning? --

The requested conversion from the Future Land Use Map into the Zoning Map is based upon the meeting held in 2016 and 2017 and the desire to open up the County residential and industrial locations.

2. What, if any, error in judgment, procedure, or administration was made in the original Ordinance which justifies the petitioned change in zoning?----

There were no errors in judgement when the 2007 zoning map was approved. Time and moving forward with the desires of the county constituents to change is driving the request.

3. What are the precedents and the possible effects of precedent which might result from the approval or denial of the petition? ----

None, the Future Land Use Map has been available for comment for over three years. Property owners are interested in the flexibility associated with the adoption.

4. What is the impact of the amendment on the ability of the County and other governmental agencies to provide adequate public services and facilities and/or programs that might reasonably be required in the future if the petition is approved? ---

None, the negligible increase in new residents and industrial construction should not overload the current assets regarding public service of Law Enforcement, Fire, EMS and maintenance of Roads.

5. Does the petitioned zoning change adversely affect the environmental conditions or value of the surrounding property? ---

The capability of creating 5 Acres residential lots and greater locations for industrial and commercial enterprises should not decrease any values.

6. Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built such as:

- a. Surface water drainage problems
- b. Waste water disposal problems
- c. Adverse effect on surface or subsurface water quality
- d. The loss of valuable natural resources such as forest, wetland, historic or scenic sites, wildlife, mineral deposits, or valuable agricultural land?

None.

7. Does the petitioned zoning change generally comply with the policies and uses proposed for the area in the adopted Comprehensive Plan of Keweenaw County? If not, and if the proposed zoning change is reasonable, in light of all other relevant factors, then the Plan should be amended before the requested zoning amendment is approved. ---

Yes, the Future Land Use Map was/is based upon the Master Plan.

8. Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area. ----

Yes,

9. Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land. ---

Yes

10. If a specific property is involved, can the property in question be put to a reasonable economic use in the zoning district in which it is presently located (after considering all of the uses permitted by right, by special permit or as conditional uses)? ---

The is not a request for a specific property.

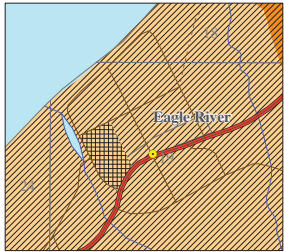
11. Is another procedure, such as a Variance, Special Land Use or Planned Unit Development procedure a more appropriate alternative than a rezoning? ---

Yes, individuals could apply for a zoning change to their property as long as it is in conformance with the Land Use Map. Each application would require a fee to be paid and an individual public hearing to be held.

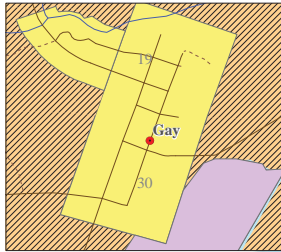
SUMMARY

Currently individuals can apply for a zoning change to their property as long as it is in conformance with the Land Use Map. Each application would require a fee to be paid and an individual public hearing to be held. If the Future Land Use map, in it's entirety, is converted to the new zoning map, with an effective date of January 1st it would be a service to the property owners of Keweenaw County.

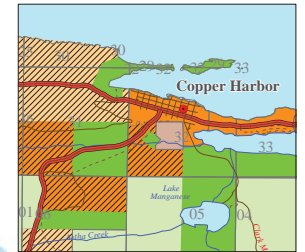
Keweenaw County Future Land Use Map



Eagle River



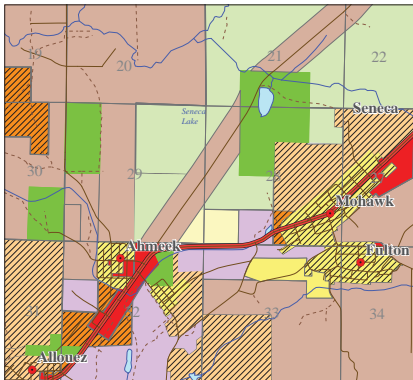
Gay



Copper Harbor



- Single-Family Residential District = R-1A
- Single-Family Residential District = R-1B
- Two-Family & Multi-Family Residential District = R-2
- Country Estate = CE
- Resort Residential = RR A
- Resort Residential = RR B
- Resort Residential = RR C
- Resort Service = RS 1
- Resort Service = RS 2
- Agricultural = AG
- Business = B1
- Manufacturing = M
- Extraction District = ED
- Planned Development District = PDD
- Timber Resource = TR
- Conservation District-Environmental Protection = CEP
- Eagle Harbor Township "Zoned by Township-Contact Township Zoning Administration"



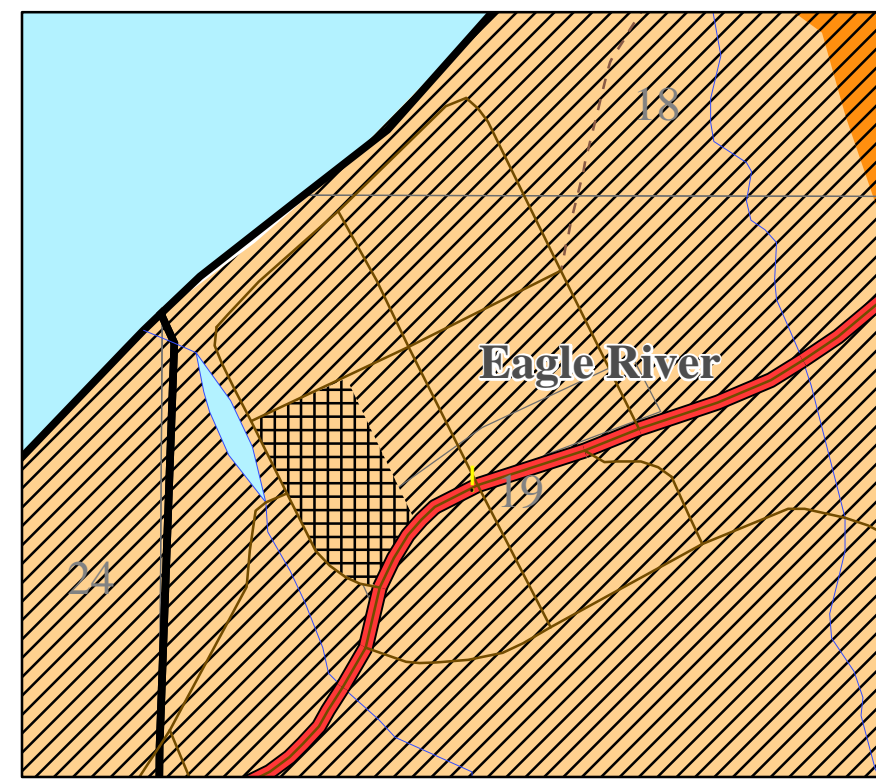
Allouez, Ahmeek, Mohawk, & Fulton



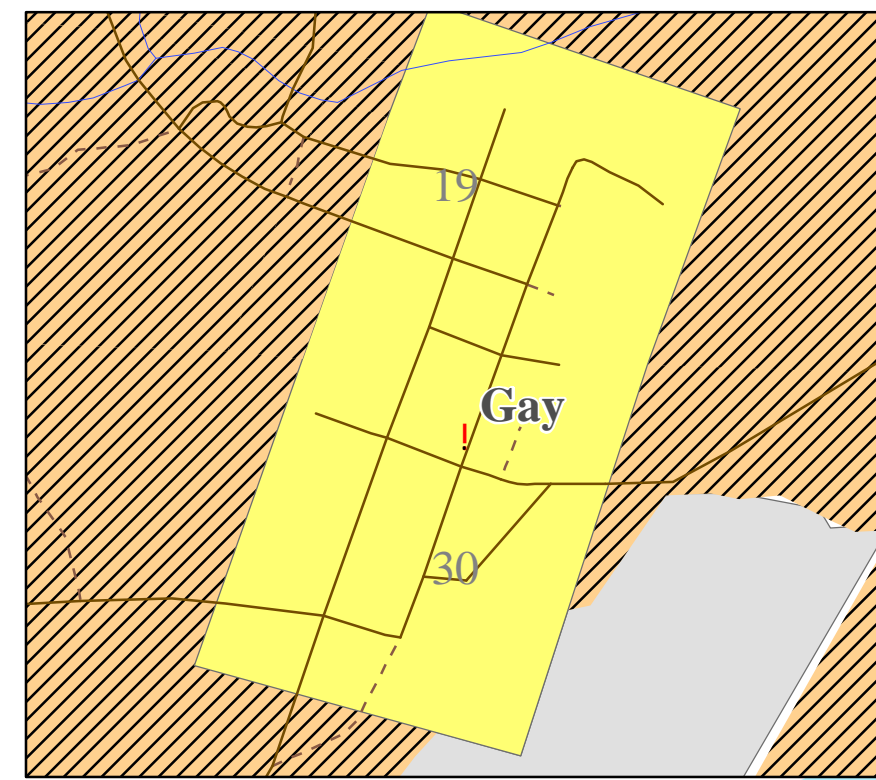
Special Note:
Keweenaw County Zoning Ordinance page 4-4, 4.3.6 CEP.
Lands include those that are currently or are soon to be held in conservancy ownership, public lands (or soon to be) that have been identified for preservation and compatible recreation, undevelopable coastline where preservation is in the best public interest, and those lands where owner intention has indicated future conservation efforts.
The majority of the land to be rezoned to CEP is currently in TR and RR.

Data Source:
MIRIS/MI Geographic Framework Base Data
Keweenaw Zoning Ordinance Revisions as of January 31, 2017.

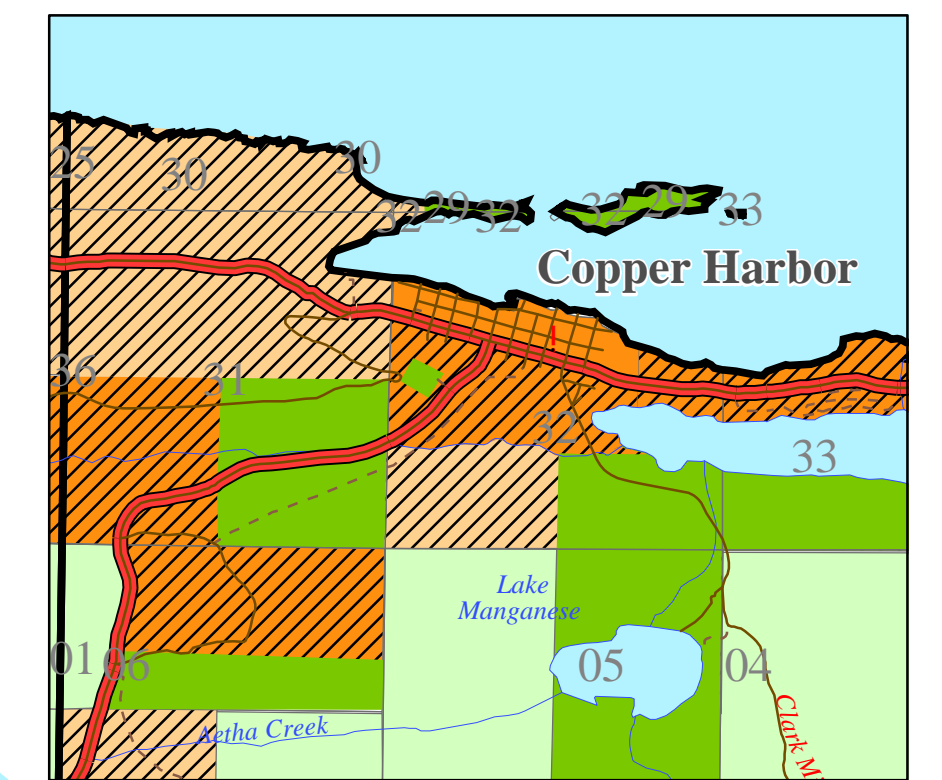
Keweenaw County Zoning Map



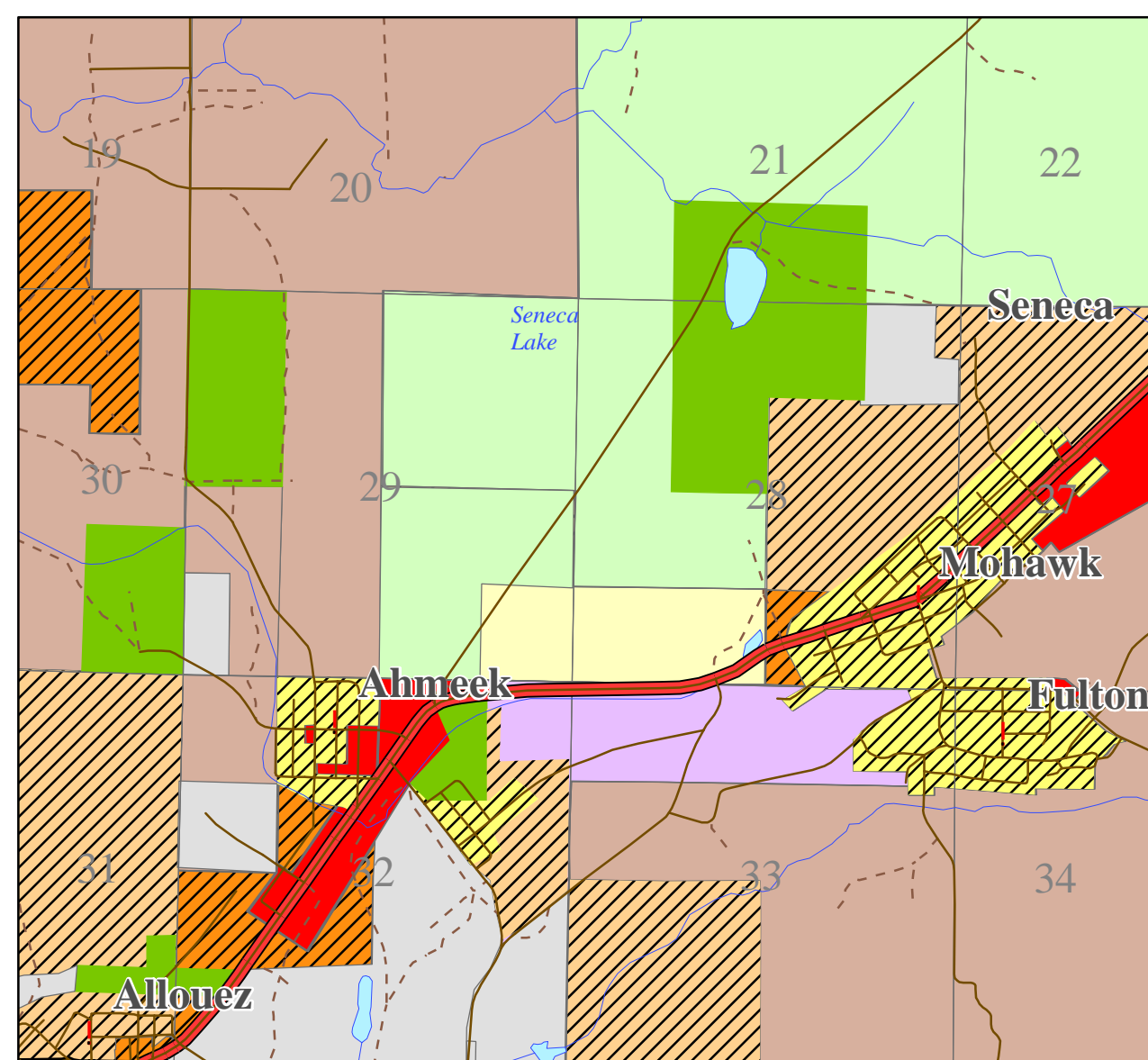
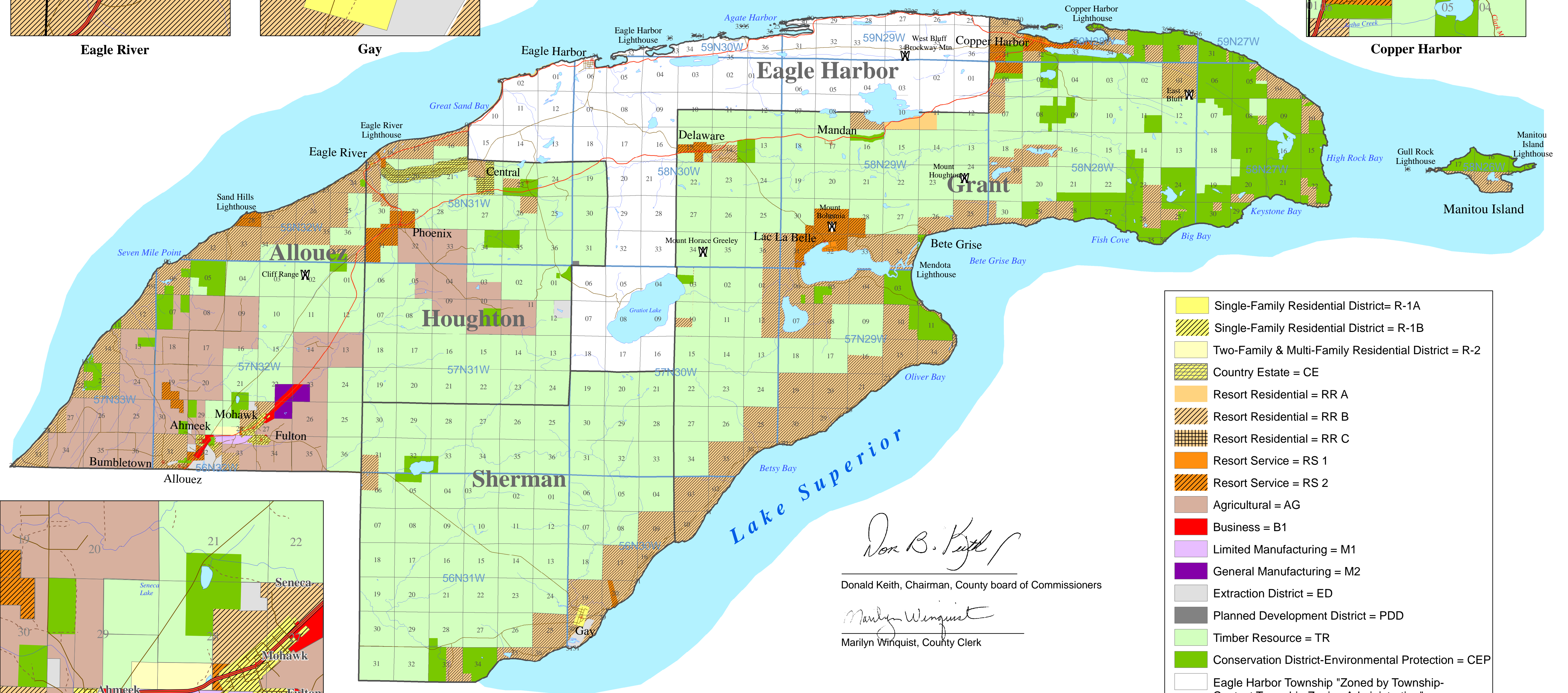
Eagle River



Gay



Copper Harbor



Allouez, Ahmeek, Mohawk, & Fulton

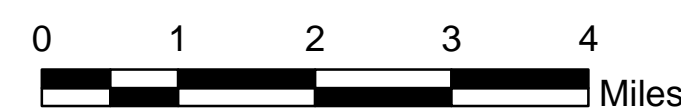
- Single-Family Residential District= R-1A
- Single-Family Residential District = R-1B
- Two-Family & Multi-Family Residential District = R-2
- Country Estate = CE
- Resort Residential = RR A
- Resort Residential = RR B
- Resort Residential = RR C
- Resort Service = RS 1
- Resort Service = RS 2
- Agricultural = AG
- Business = B1
- Limited Manufacturing = M1
- General Manufacturing = M2
- Extraction District = ED
- Planned Development District = PDD
- Timber Resource = TR
- Conservation District-Environmental Protection = CEP
- Eagle Harbor Township "Zoned by Township-Contact Township Zoning Administration"

Don B. Keith

Donald Keith, Chairman, County board of Commissioners

Marilyn Winquist

Marilyn Winquist, County Clerk



This is to certify that this is the Official Zoning Map Referred to in Article 4, Section 3.2.2, of the Zoning Ordinance of Keweenaw County, Michigan"

Adopted February 14, 2007, Amended March 19, 2008

Data Source:
MIRIS/MI Geographic Framework Base Data
Keweenaw Zoning Ordinance Revisions as of October 3, 2007.