CHAPTER 10.0-PLANNING COMMISSION GOALS AND RECOMMENDATIONS

10.7 Transportation continued

Recommendations:

- Encourage the Marquette County Road Commission to improve primary roads.
- Inform residents of available MARQ-Tran demand-response services through posted schedules.
- Continue to develop a road maintenance priority list for existing and future projects.
- Apply the Asset Management approach to selecting and prioritizing road improvement projects.
- Continue to review Complete Streets policies and incorporate design standards into the Township's planning efforts if and where appropriate.
- Consider increasing the Township road millage allocation to develop a road fund for future road construction and maintenance.
- Consider using Township railroad spur fee revenues for matching investments in road and/or rail projects to trigger matching private economic development investment(s) in the Township creating future tax base and jobs.
- Actively participate in future US-41/M-28 Access Management site plan review meetings.
- Work with the Central Upper Peninsula Planning and Development Regional Commission (CUPPAD) and the Michigan Department of Transportation (MDOT) to amend the US-41/M-28 Access Management Action Plan to include that part of Humboldt Township terminating one mile west of M-95.
- Through the statutory authority granted to Townships, enact Load Limit Regulations applying to specific County Roads within the jurisdiction of the Township, not only to protect the public health, safety and welfare of Humboldt Township residents, but also to protect established residential areas from potential negative impacts of heavy industrial truck traffic.

10.8 Natural Features

Discussion: The bedrock lying beneath Humboldt Township is directly linked to the area's development as a mining community and is a result of the iron ore contained within the bedrock. Original settlement and land use patterns are directly related to the Township's natural features and resources. Soil suitability and steep slopes make some areas less suitable for future development than others. Mining and its support facilities have a substantial relationship and also significant impact upon the area's natural features. The Humboldt Township Zoning Ordinance includes mining-related regulations, designed to minimize the negative effects of mining activities and provide for required reclamation. Humboldt Township boasts numerous water features being actively utilized for recreational purposes. Humboldt Township does not participate in the National Flood Insurance Program and approximately 320 structures are located in flood-prone areas.

CHAPTER 10.0-PLANNING COMMISSION GOALS AND RECOMMENDATIONS

10.8 Natural Features continued

Goal:

Fully exploit the mineral resources, while protecting and enhancing the natural setting of the Township, and allowing development to occur only on suitable sites.

Recommendations:

- Participate in the development of the Marquette County hazard mitigation plan update.
- Discourage development in unsuitable areas utilizing zoning regulations.
- Continue to review and upgrade zoning regulations regarding mining activities and reclamation as necessary, and as the State zoning enabling legislation may allow.
- Continue to monitor levels of radon within Humboldt Township residences.
- Locate, identify and support the cleanup and reuse of brownfield sites within Humboldt Township.

10.9 Land Use

Discussion: Humboldt Township is an example of a community that was developed essentially because of the potential for mining activities. Approximately twenty-five percent of the land within Humboldt Township is owned by the State of Michigan and is part of the Escanaba River State Forest. Several mining companies own a small amount of land in the Township, somewhat limiting development that is not associated with the mining industry. Private land ownership also comprises a large portion of the Township's land area. Privately held lands are concentrated along the Michigamme River, the Black River and the approximate northern third of the Township. Various lakes, including Fish, Granite, Perch, Beaver, Donaldson and Petcuson Lakes are preserved pockets of private land ownership. Significant portions of Humboldt Township are also designated as Commercial Forest Reserve, or Commercial Forest Land.

Low density development prevails within Humboldt Township and there is very limited public infrastructure in the Township at this time. Future residential development will be encouraged in areas easily accessible to the major transportation routes and the limited utilities that are currently available. Commercial development is Permitted by Right and Conditionally in the Town Development (TD) District, which is primarily located along US-41 and M-95, the two major transportation corridors traversing through Humboldt Township. There have been few new business developments in Humboldt Township since the late 1990's. Future commercial development is most likely to occur along major traffic routes, including US-41 and M-95.

CHAPTER 10.0-PLANNING COMMISSION GOALS AND RECOMMENDATIONS

10.9 Land Use continued

The Humboldt Mill represents the largest industrial land use within the Township. Kennecott Eagle Minerals Co. purchased the Humboldt Mine in September 2008, which was subsequently bought by Lundin Mining Corporation in 2013. Upon the completion of the Humboldt Mill renovation, the mill has been utilized to process ore from the Eagle Project prior to its transport to Sudbury, Ontario for additional processing.

Infrastructure improvements and expansions will be necessary to attract additional residential, commercial and industrial development to Humboldt Township, particularly natural gas services.

Goal:

Establish land use patterns that protect the public health, safety and welfare of all Humboldt Township residents.

Recommendations:

- Review and approve rezonings that are consistent with the Future Land Use Map and in accord with Humboldt Township's goals.
- Discourage and deny development from taking place on unsuitable lands.
- Encourage the development of commercial uses along transportation corridors.
- Encourage higher density and infill development in areas where utilities are available.
- Ensure that future land uses are adequately supported by existing infrastructure and natural features through the administration of zoning regulations.
- Ensure that adequate land area exists for the installation of private, potable water wells and septic systems for all types of development.
- Review the recurring incidents of similar variance requests to determine whether or not zoning requirements should be modified or revised.
- Review the zoning ordinance periodically to ensure that the requirements reflect provisions for suitable sites and design guidelines that promote the desired future characteristics of the area.
- Solicit comments and recommendations from related agencies, organizations, adjacent communities and local residents regarding land use matters.
- Review the Humboldt Township Master Plan and Zoning Ordinance prior to acting on land use decisions and review and update each document on an annual basis as necessary.
- Participate in US-41/M-28 Access Management Planning to implement controlled land use development and access control standards along this major corridor.
- Future land use decisions must be sensitive to the needs of local residents and respectful to the ceded lands held by Native Americans.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.1 Introduction

The previous chapters of the Master Plan provide an overview of the existing conditions in Humboldt Township and surrounding areas. A Future Land Use Plan is representative of the "preferred future" of how the Township desires to grow and the Plan includes recommendations on how development should be implemented. A Future Land Use Plan is based on analyses of environmental opportunities and constraints, existing trends and conditions and projected future land use needs. While developing a Future Land Use/Zoning Plan, the Planning Commission was assigned the difficult task of projecting development within Humboldt Township, envisioned over the next five to ten years. The Goals and Recommendations presented in the Chapter 10 and principals of sound Land Use Planning are the foundation upon which this Future Land Use Chapter is based. The Future Land Use Plan consists of the text within this chapter as well as the Future Land Use Map for Humboldt Township.

Future land use planning establishes the desired amounts and locations of residential, commercial, and industrial development; public facilities; open space; environmental conservation and recreational areas; and changes or improvements to the local traffic and road circulation systems. This chapter also presents a Zoning Plan, which along with the relevant parts of the Future Land Use Plan, is intended to guide the implementation and future changes to the Township's Zoning Ordinance.

The Michigan Zoning Enabling Act (MZEA) Sec. 203 (1) requires that zoning be based on a "Plan." Similarly, the Michigan Planning Enabling Act (MPEA) Sec. 7 (2), sets forth the purpose for which a Master Plan must be created. In order for a Master Plan to serve as the basis for future zoning, it should promote the purposes in the MZEA and MPEA.

A "Zoning Plan" is another term for a "Zone Plan" which is used in the Michigan Zoning Enabling Act (PA 110 of 2006) and the Michigan Planning Enabling Act (PA 33 of 2008). Section 33(2) (d) of the Michigan Planning Enabling Act requires a Master Plan to include:

> *"...a Zoning Plan for various Zoning Districts controlling the height, area, bulk, location, and use of buildings and premises. The Zoning Plan shall include an explanation of how the land use categories on the Future Land Use Map relate to the Districts on the Zoning Map."*

A Zoning Plan describes:

- The purpose, general location, and main uses allowed for each existing and proposed Zoning District;
- The difference between the Land Use categories of the Future Land Use Map and those found on the Zoning Map;
- The recommended standards for the Schedule of Regulations concerning Height, Bulk, Setback, Yard, Lot Size and related features.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.1 Introduction continued

- The existing Zoning Map, along with proposed changes, clearly details the circumstances under which those changes should be made.
- Standards or criteria to be used to consider Rezonings consistent with the Master Plan.

The relationship between the Master Plan and Zoning Ordinance is often misunderstood. The Master Plan is a guide for Land Use; the Zoning Ordinance regulates the existing land use. The Master Plan is not a binding, legal document however, the Zoning Ordinance by law is an adopted Township Ordinance and must be followed by the Humboldt Township residents and anyone intending to develop or do business within the Township. The Future Land Use recommended for an area may be the same as the Existing Zoning for that area, while in some cases the Future Land Use recommended is different from the Existing Zoning. The Future Land Use Map does not change the Existing Zoning District in an area. A property owner must utilize the property as it is currently zoned and according to all of the standards and requirements of the Zoning Ordinance.

The Future Land Use Map reflects the conclusion that land use patterns in Humboldt Township will continue to be heavily influenced by existing mining and forestry uses as reflected by the large amount of land located within the Escanaba River State Forest. Other major considerations which help shape the Future Land Use Map are a desire to establish appropriate land uses and densities throughout the Township as well as provide suitable areas for residential use and future mining activities. Potential updates to the Humboldt Township Zoning Ordinance are discussed throughout the following sections and necessary changes can be pursued as the need or opportunity presents itself. The Planning Commission's intent is to identify major Goals and Recommendations they desire to implement and begin to work on the corresponding zoning changes required.

11.2 Zoning Districts and Zoning Plan

Humboldt Township is currently divided into ten Zoning Districts. The intent and general purpose for each Zoning District listed within the Master Plan have been obtained directly from the Zoning Ordinance. The amount of land represented by each district has been calculated using Geographic Information Systems (GIS); water bodies are also included in the totals, skewing the numbers slightly. The Permitted by Right and Conditional Uses within each Zoning District are listed in the specific District regulations of the Humboldt Township Zoning Ordinance (Article III). A Schedule of Regulations is included for the existing Zoning Districts.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.2 Zoning Districts and Zoning Plan continued

Existing Zoning Classifications

R, Residential District

The R, Residential District, is intended for the establishment and preservation of quiet neighborhoods for single-family dwellings and two-family dwellings free from other uses except those which are both compatible with and convenient to the residents in this District. The R, Residential District is designed to accommodate residents opportunities for those who are willing to assume the costs of providing their own services, requiring spacious lots, insuring a safe, potable water supply and treatment of wastewater on the same lot.

RR-5, Rural Residential District

The RR-5, Rural Residential-Five District, is established to provide a transition zone between more densely settled residential areas and the more sparsely developed rural, agricultural or forested areas of Humboldt Township. Such areas are accessible and provide for a mix of moderately intensive compatible uses from surrounding zones.

LS/R, Lakeshore and River District

The LS/R, Lakeshore and River District, is established to preserve for residential and recreational uses those areas with frontage on inland lakes and rivers which, because of existing development, natural characteristics and accessibility, are suitable for this type of development.

RS-1, Recreational Structure District

The RS-1, Recreational Structure-One District, is established and maintained essentially for recreational uses. The district is designed for areas with frontage on inland lakes and rivers, which because of their natural characteristics, accessibility and high cost of providing public services, are suited for less intensive development than the Lakeshore and River District. Governmental services will not be provided on a year-round basis and may not be provided at all.

RS-5, Recreational Structure Five District

The RS-5, Recreational Structure Five District, is established and maintained for recreational uses. This district is designed for areas with frontage on inland lakes and rivers, which because of their natural characteristics, accessibility and high cost of providing public services, these areas are suited for less intensive development than the RS-1, Recreational Structure District, and are intended for recreational or seasonal development. Governmental services will not be provided on a year-round basis and may not be provided at all.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.2 Zoning Districts and Zoning Plan continued

Existing Zoning Classifications continued

RP-10, Resource Production Ten District

The RP-10, Resource Production Ten District, is established to maintain low density rural areas, which because of their rural character and location, potential mineral content, accessibility, natural characteristics and the potentially high cost of providing public services for intensive uses are more suitable for a wide range of forestry, agriculture, natural resource and recreational uses.

The RP-10, Resource Production Ten District, is similar in many ways to the RP-20, Resource Production Twenty District. Minimum lot size is one of the major differences. The purpose of establishing this RP-10, Resource Production Ten District, is to allow greater opportunities for low density single family residential development in certain areas. Some of the necessary requirements for the RP-10, Resource Production Ten District include the availability of electrical service and being located adjacent with a year-round county road.

RP-20, Resource Production Twenty District

The RP-20, Resource Production Twenty District, is established to maintain very low density rural areas which because of their location, potential mineral content, accessibility, natural characteristics and high cost of providing public services are not suitable for intense development but rather for a wide range of forestry, agriculture, mineral extraction, natural resource and recreational uses. Governmental services will not be provided on a year round basis or may not be provided at all.

TP-40, Timber Production District

The TP-40, Timber Production District, is established to preserve and maintain for timber production purposes those lands which because of their soil, drainage, large tract ownership, potential mineral content and other characteristics are especially suited for timber production and mining.

TD, Town Development District

The TD, Town Development District, is established to preserve a district for residential, retail and service establishments and certain governmental uses that are compatible with a small town setting serving residents and tourists. This District is designed for small unincorporated town areas where a mix of residential and retail is in accord with established patterns of land use and the needs of nearby residents.

I, Industrial District

The I, Industrial District, is designed and intended for manufacturing, assembling, fabricating and processing businesses, storage, mineral extraction, and other commercial activities which may require larger sites and isolation from many kinds of other land uses and to make provisions for commercial uses necessary to service the immediate needs of an industrial area.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.2 Zoning Districts and Zoning Plan continued

Existing Zoning Classifications continued

Schedule of Regulations						
District	Minimum Lot Size (Square Feet or Acreage)	Minimum Lot Width (Feet)	Minimum Setback (Feet)			Maximum Height of Structure (Feet)
			Front L	Side	Rear	
R	1 acre	100 A	30	10B	35C	30D
RR-5	5 acres	300 A	30	30	30	30
LS/R	1 acre	100 A	30	10B	30	30D
RS-1	1 acre	150 A	30	10	30	30D
RS-5	5 acres H	300 A	30	30	30J	30
RP-10	10 acres H	300 A	30	30	30J	30
RP-20	20 acres H	470 A	30	30	30J	30
TP-40	40 acres H	660 A	30	30	30J	30
TD	1 acre I	100 A	30	10B	35C	30F
I	1 acre	150 A	40	E/F	20	E/F

Footnotes to the Schedule of Regulations Table

A. Lot width shall be measured at front setback line and shall not include any encumbrances, such as easements or other such restrictions. Regardless of actual lot size, the maximum depth to width ratio shall be 4 to 1.

B. An accessory building or structure may be located 6 feet from a side lot line.

C. An accessory building or structure in the R-Residential District and TD-Town Development District may be located 20 feet from a rear lot line.

D. An accessory building or structure shall not exceed 14 feet in height.

E. All structures shall be provided with access to their rear yard, with a minimum of 30 feet clear and unobstructed access way or easement. Setbacks from the existing residential parcels shall be: 50 feet from all buildings; 25 feet for driveways, entrances or exits; and 10 feet for parking areas.

F. Height at any point on a structure shall not exceed the horizontal distance to any lot line.

G. The minimum lot size may be reduced to one acre by application and issuance of a Conditional Use Permit meeting the standards set out in Sec. 312(D) and Sec. 704. The minimum lot width shall be 150 feet.

H. The determination of lot size when adjoining a road shall be made as if the road was a part of the lot in question. For example, a 20 acre parcel fronting on a road will lose approximately one-half acre in the road right-of-way. This will make the parcel size 19.5 acres, however, it will still conform to the 20 acre minimum lot size requirement.

I. The minimum landscaped open space ratio shall be 25 percent in the Town Development District.

CHAPTER 11.0-FUTURE LAND USE AND ZONING PLAN

11.2 Zoning Districts and Zoning Plan continued

J. Customary accessory buildings or structure shall be at least located 30 feet from the rear lot line and waterfront. Rear setback for parcels not abutting water courses shall be 30 feet for all structures.

K. Waterfront Development

a) Setbacks from water-All structures on lots abutting any body of water, as defined in Act No. 346 of the Public Acts of 1972, including but not limited to, inland lakes, rivers, streams, and impoundments, shall maintain a minimum setback of 75 feet as measured from the high water mark or lot line. All uses shall be subject to this setback except private bathing facilities, saunas, storage sheds, and associated facilities which shall maintain a minimum setback of 30 feet as measured from the high water mark or lot line.

There are two lakes: Helen and Casey Lakes, zoned as Recreational Structure which are intensely developed. Limited opportunity exists to further develop these lakes, however, there are individual lots scattered around these lakes which can be developed recreationally. Rather than require 75 foot waterfront setbacks for isolated parcels, in most cases different than adjoining parcels, a 30 foot waterfront setback will be required. This reduction in waterfront setback will allow for uniformity and consistency with established patterns of lakefront development. The two lakes where 30 rather than 75 foot waterfront setbacks will be required are described below:

Casey Lake-All of the Recreational Structure District found in Section 22, T45N-R29W.

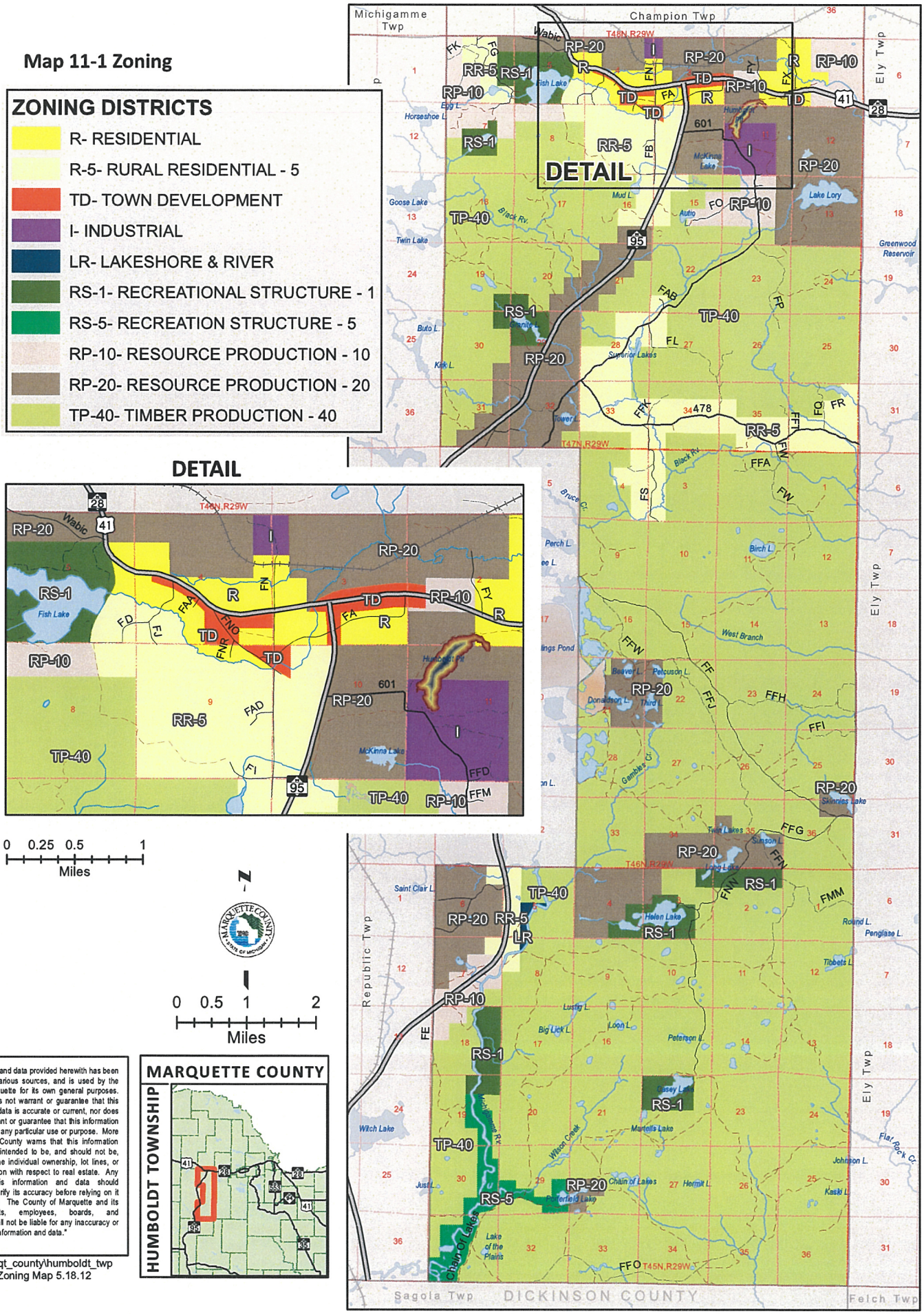
Helen Lake-All of the Recreational Structure District found in Sections 3 and 4, T45N-R29W.

b) Shore and Bank Area Alterations-The part of that setback which lies within 30 feet of the water edge shall be maintained in its natural condition. Trees and shrubs in a space 50 feet wide may be trimmed or pruned for a view of the fronting waters and for access thereto. No change shall be made in its natural grade. A lot shall be regarded in its natural condition when there is at least one tree or shrub having a height of at least 15 feet for each 75 square feet of area thereof in wooded areas or sufficient natural ground cover in open areas.

c) Limitation of "Funnel Development"-Any development in any zoning district which shares a common lakefront or stream area may not permit more than one single family home, cottage, condominium or apartment unit to the use of each 100 feet of lake or stream frontage in such common lakefront or stream area as measured along the water's edge of normal high water mark of the lake or stream. This restriction is intended to limit the number of users or the lake or stream frontage to preserve the quality of the waters, avoid congestion and to preserve the quality of recreational use of all waters and recreational lands within the Township. This restriction shall apply to any parcel regardless of whether access to the water shall be gained by easement, common fee ownership, single fee ownership or lease. This restriction shall not apply to an official public access site.

L. Where the right-of-way is established under the McKnitt Act (PA 130 of 1931 as amended) and varies from the standard 66 feet of width, the setback shall be not less than 63 feet from the centerline of the roadway.

Map 11-1 Zoning



"The information and data provided herewith has been compiled from various sources, and is used by the County of Marquette for its own general purposes. The County does not warrant or guarantee that this information and data is accurate or current, nor does the County warrant or guarantee that this information and data is fit for any particular use or purpose. More specifically, the County warns that this information and data is not intended to be, and should not be, used to determine individual ownership, lot lines, or lines of occupation with respect to real estate. Any recipient of this information and data should independently verify its accuracy before relying on it for any purpose. The County of Marquette and its officers, agents, employees, boards, and commissions shall not be liable for any inaccuracy or omission in this information and data."

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MP Zoning Map 5.18.12