



LOCAL ZONING ANALYSIS

Chapter of the Marquette County Comprehensive Plan

Prepared by Resource Management & Development
Department- Planning, Community Development,
Forestry & Recreation Division

Adopted July 6th, 2016 by the Marquette County
Planning Commission

MARQUETTE COUNTY, MICHIGAN
RESOLUTION OF ADOPTION
MARQUETTE COUNTY PLANNING COMMISSION

LOCAL ZONING ANALYSIS CHAPTER
of the
COMPREHENSIVE PLAN

WHEREAS, the Michigan Planning Enabling Act (MPEA) authorizes the Planning Commission to prepare a Comprehensive Plan for the use, development and preservation of all lands in the County; and

WHEREAS, the Planning Commission updated the Local Zoning Analysis Chapter of the Comprehensive Plan and submitted the plan to the County Board for review and comment; and

WHEREAS, on April 25, 2016 the Marquette County Board received and reviewed the proposed Chapter of the Comprehensive Plan prepared by the Planning Commission and authorized distribution of the proposed Chapter of the Comprehensive Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the Michigan Planning Enabling Act; and

WHEREAS, the Planning Commission held a public hearing on July 6, 2016 to consider public comment on the proposed Chapter of the Comprehensive Plan, and to further review and comment on the updated Chapter of the Comprehensive Plan; and

WHEREAS, the Planning Commission finds that the updated Chapter of the Comprehensive Plan is desirable and proper and furthers the use, preservation, and development goals and strategies of the County;

THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. **Adoption of Local Zoning Analysis Chapter of the Comprehensive Plan.** The Planning Commission hereby approves and adopts the proposed 2016 Local Zoning Analysis Chapter of the Comprehensive Plan, including all of the figures, maps, and tables contained therein.
2. **Distribution to County Board and Notice Group.** Pursuant to MCL 125.3843 the County Board has not asserted by resolution its right to approve or reject the proposed Local Zoning Analysis Chapter of the Comprehensive Plan and therefore the approval granted herein is the final step for adoption of the plan as provided in MCL 125.3843 and therefore the plan is effective as of July 6, 2016. In addition, the Planning Commission approves distribution of the adopted amendments to the County Board and Notice Group.
3. **Findings of Fact.** The Planning Commission has made the foregoing determination based on a review of existing land uses in the County, a review of the existing Comprehensive Plan provisions and maps, input received from the County Board and public hearing, and finds that the updated Local Zoning Analysis Chapter of the Comprehensive Plan will accurately reflect and implement the County's goals and strategies for the use, preservation, and development of lands in Marquette County.
4. **Effective Date.** The Master Plan shall be effective as of the date of adoption of this resolution.

The foregoing resolution offered by Planning Commissioner Bergdahl. Second offered by Planning Commissioner Alholm. Upon roll call vote the following voted; "Aye": Commissioners Kaiser, Alholm, Banfield, Struck, Touchinski, LaPointe, and Bergdahl. "Nay"; 0

The Chair declared the resolution adopted. _____



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SECTION 1: INTRODUCTION

There are currently 20 local ordinances within Marquette County. This plan does not eliminate the need for local units to create and adopt their own zoning plan or the need to document the consistency between their plans and their zoning ordinance and related decisions. All decisions relating to zoning should focus upon implementing a well-thought-out plan that addresses the suitability of the land and infrastructure to the proposed use and the needs of the community. The plan(s), upon which the ordinance is based, must be updated regularly. Any ordinance that is not based upon official plans and policies, or does not comply with the State's Enabling legislation, has a weak legal foundation.

Zoning is a method of regulating land uses for the betterment of the land and the community. It is one of the means for implementing a community's long range plans. In addition, it is essential for understanding present conditions, future growth potential and the need for infrastructure and services. It is a legal tool that requires maintenance and skilled use to be effective. Marquette County does not have a zoning ordinance. Therefore, township and city zoning ordinances are a very important tool for the implementation of a county's goals and policies.

MARQUETTE COUNTY ZONING HISTORY

The County's first zoning ordinance was adopted in 1938 and was replaced in 1977. This ordinance applied to twelve townships: Champion, Chocolay, Ely, Ewing, Humboldt, Powell, Republic, Skandia, Tilden, Turin, Wells, and West Branch. Over the years, many of these townships adopted their own ordinances, some with the assistance of the County Planning Commission. The Marquette County Board of Commissioners rescinded the County's Ordinance effective January 1, 1994. Anticipating this action, County Staff assisted townships in adopting interim ordinances. The interim ordinances were replaced over a three-year period with adoption of a permanent ordinances. Ewing and Turin Townships opted not to adopt an ordinance upon expiration of their interim ordinance. Currently, those townships do not have any zoning regulations.

ENABLING LEGISLATION

Prior to July 1, 2006, three separate laws directed zoning efforts by governmental units within Michigan. Two of these laws predated the three

BENEFITS OF REVIEWING ZONING ORDINANCES AND MAPS INCLUDE:

- Identifying trends
- Acquaintance with techniques tools and language
- Understanding challenges
- Identifying risks for legal action
- Administration of issues and practices

ZONING CANNOT:

- Automatically cure past mistakes in land use and development
- Assure development or re-development
- Function as a property maintenance code
- Be used as a means of keeping an undesired land use out of a local unit

ZONING CAN:

- Direct redevelopment to targeted areas
- Help stabilize land values through preventing and controlling incompatible land uses
- Offer protection from land uses to which are objectionable but legal
- Minimize land use conflicts
- Protect natural resources
- Help implementation of official policies on:
 - infrastructure to meet community needs
 - containing costs
 - public services
- Make a place desirable for living, working, and playing

laws authorizing a Planning Commission. A municipality could adopt zoning under the City and Village Zoning Act, (PA 207 of 1921). If the city or village had a planning commission created under the Municipal Planning Act, PA 285 of 1931, that planning commission was responsible for developing the ordinance for consideration. If not, a commission could be appointed under the zoning act. A township could adopt and enforce its own ordinance under the Township Rural Zoning Act (PA 184 of 1943). That act authorized the creation of zoning boards for the purpose of developing the ordinance. Township planning commissions were not authorized until the passage of Act 168 of 1959. A county could adopt a zoning ordinance under the County Zoning Act (PA 183 of 1943). County Planning Commissions were enabled by Act 282 of 1945. Only townships, without their own ordinances fell under the county zoning ordinance.

Under this system, some local units planning commissions developed plans and zoning boards often developed zoning ordinances. The two bodies often did not function collectively. Occasionally, a planning commission was established under dual enabling legislation.

PUBLIC ACT 110 OF 2006, THE MICHIGAN ZONING ENABLING ACT (MZEA)

PUBLIC ACT 110 OF 2006, THE MICHIGAN ZONING ENABLING ACT (MZEA), PROMOTES:

- Public health, safety, and general welfare
- Use of lands in accordance with their character
- Adaptability and limiting improper use of land
- Conserving natural resources and energy
- Insuring uses of the land are in appropriate locations and relationships
- Avoiding overcrowding of population
- Providing adequate light and air
- Lessening congestion on the public roads and streets
- Reducing hazards to life and property, to facilitate adequate provision for a system of transportation, sewage disposal
- Safe and adequate water supply, education, recreation, and other public requirements
- Conserving expenditure of funds for public improvements and services
- Conforming with the most advantageous uses of land, resources, and properties

On July 1, 2006, Public Act 110 of 2006, The Michigan Zoning Enabling Act (MZEA) became effective and the three other enabling acts were repealed. The new law applies to all three types of local governmental units. It contains simplified language. It requires local units to base their zoning ordinance on their master plan.

The MZEA states in Sec. 301(2) "*Except as otherwise provided in this subsection, if the powers and duties of the zoning commission have been transferred to the planning commission as provided by law, the planning commission shall function as the zoning commission of the local unit of government. By July 1, 2011, the legislative body shall transfer the powers and duties of the zoning commission to the planning commission. Except as provided under this subsection, beginning July 1, 2011, a zoning commission's powers or duties under this act or an ordinance adopted under this act shall only be performed by a planning commission*".

Without a properly established planning commission, a township's zoning ordinance becomes null and void.

The MZEA authorizes county review of ordinances and amendments proposed by a township. The County can then determine if a township ordinance supports implementation of the County's plans. The County can give comments and make recommendations but the decision to adopt or amend zoning belongs to the township. City and village zoning do not require County review.

PUBLIC ACT 33 OF 2008, THE MICHIGAN PLANNING ENABLING ACT (MPEA)

PUBLIC ACT 33 OF 2008, THE MICHIGAN PLANNING ENABLING ACT (MPEA) PROMOTES:

- A system of transportation to lessen congestion on streets
- Safety from fire and other dangers
- Access to light and air
- Healthful and convenient distribution of population
- Good civic design and arrangement and wise and efficient expenditure of public funds
- Public utilities such as sewage disposal and water supply and other public improvements
- Recreation
- Use of resources in accordance with their character and adaptability

Like the new zoning enabling act, the Michigan Planning Enabling Act applies to all three types of local governmental units. The following acts were repealed: 285 of 1931, 282 of 1945, 168 of 1959. Plans adopted under these acts do not require re-adoption, but are subject to the requirements of Act 33 of 2008.

Local legislative bodies may increase the powers and duties of their planning commission through an ordinance. The MPEA also calls for coordination with adjacent local units to avoid conflicts in master plans and zoning. Zoning must also be consistent with plans for airports in the vicinity.

The MPEA requires all municipalities to submit proposed master plans to the County Planning Commission.

SECTION 2: ZONING PLAN

One of the most important changes of the MZEA is a requirement for ordinances to be based upon a plan (Sec. 203. (1)). Elements throughout the Master Plan, referencing land use and its regulation, should be drawn together into a chapter or separate document of the Master Plan. Having the elements in one place will prevent overlooking any of them and make it easier to determine if the local zoning ordinance is consistent with the plan. However, if the Master Plan is seriously outdated, it may be necessary to make additional changes. It is essential that there be consistency between the zoning (master, comprehensive, or stand-alone) plan(s) and the zoning ordinance.

THE PLAN IS THE GUIDE FOR ALL ZONING DECISIONS

If the unit has a Planning Commission that meets the requirements of the MZEA, the Master Plan is the zoning plan.

THE ZONING PLAN MUST:

- Address how the future land use map relates to the districts on the zoning map
- Clearly explain any discrepancies between the two maps
- Identify criteria to be used in determining if a zoning district change should be made (MPEA, §33.-(2)(d))

SECTION 3: PLANNING COMMISSIONS

The MPEA requires city and township planning commissions to have 5, 7, or 9 appointed members. If the planning commission was created under PA 285 of 1931 one of the members may be a member of the legislative body. In all other townships, one member of the legislative body shall be a member of the planning commission.

Counties may have 5, 7, 9, or 11 members on their planning commission. The MPEA also requires a diverse representation of important segments of the community on the Planning Commission. The diversity should include to the extent possible interests such as agriculture, forestry, economic development, recreation, etc. as well as age and residential domicile type or location, etc. Planning commissions should make this requirement known to their legislative body for purposes of adjustment as vacancies occur. It is recommended that the representation be included in the formal action of appointment. (See Table 1, Planning Commission Profiles, for profiles of the local planning commissions)

Section 19 of the MPEA, requires the Planning Commission to adopt bylaws and make annual reports to the Township Board:

- (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.
- (2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

Commissions and boards adopt bylaws for the regulation of their own members and conduct of their internal affairs. The order of agenda items, and presentation for public hearings, are rules generally addressed within bylaws. The more zoning activity within a unit of government, the greater the need for bylaws. They create consistency and contribute to efficiency. Observing the bylaws can add to the professional stature of the Board or Commission. Bylaws are short –usually 3 to 6 pages. They are relatively easy to adopt and change. Draft language is presented at a meeting. Notice is given at that meeting and extended to any absent member along with the proposed language distributed for consideration. At the next meeting, the language can be modified, if necessary, and adopted. A number of local units have their rules of order or bylaws in their ordinances, making them cumbersome to change. This is not recommended.

BYLAWS SHOULD:

Identify:

- Board / Commission
- Enabling legislation
- Date of establishment
- Physical jurisdiction
- Membership (#, alternates & representation)
- Quorum(s)
- Conflict of interest

Contain:

- A mission statement
- Suspension of by-laws
- Rules of order (i.e., Roberts' by reference)
- List officers & elections

List:

- Responsibilities
- Residency requirements
- Terms of tenure
- Term limits (if any)
- Meeting times, dates, and place
- Mandatory meetings

State policies regarding:

- Application deadlines
- Special meetings
- Public hearings
- Limiting comments
- Absences
- Order of business (agenda)

SECTION 4: ZONING BOARD OF APPEALS

The purpose of the zoning board of appeals is to interpret and clarify regulations, review contested decisions of the zoning administrator, and vary dimensional requirements in cases of practical difficulty. Membership shall consist of not less than five members for units with 5,000 population or more and not less than three members for units with a population of less than 5,000. A zoning board of appeals serving a township shall include a representative of the local unit's planning commission. A zoning board of appeals serving a city may include a member of the city's planning commission. In spite of their dual memberships, these appointees may not vote twice on an issue that is presented to both bodies. Up to two alternate members may be appointed to a board. They sit when another member is unable to vote, has a conflict of interest, or is absent. They stay with a case until it has been decided. A majority of the total membership is required to pass a motion or grant a variance. No local body can overturn a decision of the Zoning Board of Appeals.

Judges often need to determine how a public body made a contested decision(s). Without stating the basis, a decision may seem arbitrary. As a result, zoning ordinances must contain standards to guide decisions. Concise standards, if followed, will create a firm foundation for upholding decisions. Findings of fact, as they relate to standards, must be in the motion that makes the decision.

Membership on the board shall be representative of the population distribution and the various interests present in the local unit of government. It is recommended that the bylaws, under which a board operates, include a list of the various interests within the community, and the concentrations of population within its boundaries. This list should be prepared in consultation with the local unit's legislative body. That legislative body should consult the list prior to making appointments when ZBA terms expire. Due to differing populations in the local units, the areas of interest can be either broad or somewhat narrowly defined. Interests can include but are not limited to environment (mining, forestry, water quality); economics (commerce, employment, tourism); recreation, etc. Location representation could be urban, town development, rural, waterfront residential. It is not essential that all interests be represented at the same time, but there should be a variety at any one time plus opportunity for other interests to be represented over time.

The MZEA states that the Zoning Board of Appeals may adopt rules to govern its procedures ec. 603 (1)]. Section 604 (2) states "as prescribed by the zoning board of appeals, by general rule". The Planning and Zoning Center at MSU has interpreted this to require the rules of the board be adopted in writing to assure consistency. The ZBA must also submit an annual report to the local unit's legislative body. Many local planning commissions and zoning boards of appeals are lacking bylaws or rules of order. Some have rules included in a chapter addressing variances, special or conditional use approvals or notifications. Others include rules in chapters devoted to Zoning Officials, Zoning Boards of Appeals, and/or Planning Commissions. These rules tend to be a restatement of statutory requirements. Reviews of available ordinances and bylaws show that local units of government generally have not identified areas of interest within their jurisdiction. (See Table 2, Zoning Board of Appeals Profiles, for a profile of local Zoning Boards of Appeals)

NO LOCAL BODY CAN OVERTURN A DECISION OF THE ZONING BOARD OF APPEALS.

Challenges must go to the Circuit Court.

"SHALL" IS MANDATORY.

The area of interest and location must be documented.

FINDINGS OF FACT

Must be in the motion that makes the decision

SECTION 5: STAFF

Other important individuals include the zoning administrator and clerical staff. Depending upon the level of activity, the administrator may be a private consultant, a part-time employee or a full-time employee. Planning duties may also be assigned. Other local units may also employ a zoning assistant. Some of the duties, such as enforcement, may be assigned to another person or code official.

The administrator should be aware of changes in legislation and of legal pitfalls, bringing these items to the planning commission and zoning board of appeals' attention. The clerk should ensure minutes are kept with sufficient detail of facts and the basis of the decisions.

ZONING ADMINISTRATOR RESPONSIBILITIES INCLUDE:

- Providing information & forms
- Assisting & educating the public, PC, ZBA, & legislative body
- Reviewing applications
- Issuing notices & permits
- Inspecting properties
- Investigating violations & enforcing the ordinance
- Documenting & monitor non-conforming uses
- Maintaining an up-to-date map, ordinance & records
- Reporting problems & suggest solutions to the ZBA and PC
- Establish procedures for records management and document retrieval

SECTION 6: ADMINISTRATIVE STANDARDS

Local units use a variety of formats to present standards, procedures and requirements. Some have separate lists for the PC, ZBA and the ZA. The ZA may use one set of standards to make a decision. Board of Appeals might use slightly different standards to review that decision. Other ordinances contain separate lists of items to consider when evaluating site plans, or variances, conditional use permits or PUD applications. Others provide a comprehensive list applicable to all the activities of the Planning Commission, Zoning Board of Appeals and the Zoning Administrator. This latter format can greatly reduce the volume of an ordinance. It will also make the standards easier for the public to locate and understand how their petitions will be evaluated. When ordinances are amended, consideration should be given to separation and proper labeling of standards, procedures, and requirements. Review of Marquette County's 20 local ordinances show intertwining of many standards, procedures, and/or requirements. (See Table 3, Ordinance Contents)

ADMINISTRATIVE STANDARDS

For the purpose of administering this ordinance, the Zoning Administrator, the Planning Commission, the Board of Appeals and any other reviewing body or official shall consider each case as an individual case. Consideration shall be given to the location, size, and character of a use to determine if the use will be in harmony with the intent and appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. Consideration shall be given to the following:

- Intent of the Zoning District
- Current use of adjacent lands and neighborhood
- Physical appearance of existing or proposed structures (location, height, bulk of building as well as construction materials)
- The suitability of the proposed landscaping in providing ground cover, screening and decoration on the site
- The nature and intensity of operations involved in or conducted in connection with the proposed use
- The time of use, the physical and economic relationship of one type of use to another
- The assembly of persons or employees, which may be hazardous to the neighborhood or incongruous or conflict with normal traffic in the vicinity
- Vehicular and pedestrian traffic volumes and patterns, particularly of children, as well as vehicular turning movements in relation to traffic flows, intersections and site distances
- The physical characteristics of the site such as: area, drainage, topography, open space, landscaping, and access to minor and/or major streets
- Demands upon public services such as electricity, sewer, water, police, and fire protection, schools and refuse disposal
- The type and amount of litter, waste, noise, dust, traffic, fumes, glare and vibration which may be generated by such use
- Area requirements for the proposed use and the potential for the use or its area requirements to expand
- Other factors necessary to maintain property values in the neighborhood and guarantee safety, light, air and privacy to the principal uses in the district
- Compliance with the Master Plan

Marquette City Zoning Ordinance, Sec. 80.60

SECTION 7: ORDINANCE REQUIREMENTS

There are a number of requirements established by MZEA. These requirements must be met, but some are not required to be detailed in the ordinance. Other zoning tools are optional, but have specific requirements if the local unit chooses to incorporate those options into their ordinance. (See Table 3)

MZEA CONTAINS REQUIREMENTS REGARDING:

- Planning Commission: memberships, representation, bylaws
- Zoning Board of Appeals: memberships, representation, bylaws
- Public Hearings
- Notification & publication
- Incorporation of Airport Zoning Plan
- Instruction on craft or fine arts as a home occupation
- Prohibition of regulating oil or gas wells
- Prohibition of the total prohibition of any land use
- Special land use decisions, regulations, standards, and approvals
- Open Space Preservation
- Site Plans & Reviews
- Procedures and Standards

PUBLIC HEARINGS

Zoning boards of appeals must hold public hearings on variances and requests for interpretation. Planning commissions must hold public hearings for adoption of the initial ordinance and for amendments of the text and maps. Other items that come before the planning commission, such as nonconforming uses, special (conditional) use permits and Planned Unit Developments may require public hearings.

Bylaws should address public hearing procedures. A written copy of the procedures should be available at every meeting, to assist the chairperson in running the meeting. The Chairperson should use them at every meeting to keep all actions consistent, fair and impartial. Reading the rules prior to the hearing is recommended.

Public hearings held by the legislative body are optional, unless required by the ordinance itself, by charter, or by a request sent by certified mail of an interested party. However, when a legislative body does hold a public hearing, notice must be given as specified in the Act, including mailed notices. The only exception is when an individual requests a hearing, then only that individual must be notified regarding the meeting at which they may address the legislative body.

PUBLIC HEARING NOTICES

It is relatively easy to overlook some of the required information in a legal notice (published or mailed). Both the mailed and published notices should be carefully checked for content and correct information including dates.

These requirements are now uniform for all units of government and for all zoning-related hearings. They vary significantly from previous requirements. They apply to zoning issues before planning commissions, zoning boards of appeals and legislative bodies. MZEA specifies notification requirements in Section 301.

LEGAL NOTICES MUST BE GIVEN:

- By personal delivery or US Mail
- At least 15 full days prior to the hearing
- To all property owners within 300 feet of a site:
 - including parcels in another local unit as shown on the tax roll
- To occupants of structures with 1, 2, 3 and 4 units or spatial areas within 300 feet of the site (this includes office and business sites. The term “occupant” may be used if a name is not known)
- A request must be made for owners or managers of structures with five or more units to post a copy of the notice at the primary entry to the structure
- Notice is considered given when personally delivered or deposited with the postal service or other public or private delivery service during normal business hours

A LEGAL NOTICE MUST INCLUDE:

- Type or nature of the petition
- Identification of the site (all street addresses); if no street address other means should be used such as a tax id number, subdivision, lot, etc.
- When: hearing date and time
- Hearing location, street address
- When and where written comments will be received

MAILED NOTICES ARE NOT REQUIRED FOR TEXT AMENDMENTS OR FOR MAP AMENDMENTS INVOLVING 11 OR MORE PARCELS, PROVIDED THE PARCELS ARE CONTIGUOUS.

There is no requirement that legal notice procedures be listed in an ordinance. However, it is customary to have them in the ordinance or in bylaws for both the planning commission and the zoning board of appeals. A single section should address all public hearings, preferably in an administrative procedures section. This would make using the ordinance more user-friendly. Having the procedures in the bylaws would make amending them easier.

Review of local ordinances shows that some units do not specify notice requirements in their ordinance or if specified, some are outdated and do not comply with requirements. . The County requests to review notification procedures to ensure compliance with the enabling acts.

Only a few local units utilize an affidavit of mailing. An affidavit is not a requirement. However an affidavit can be helpful, especially if questions arise several years after a hearing. It is filed with a map of the notification area, a list of owners of record within the area, their address and parcel numbers, a copy of the mailed notice and the published notice. The individual depositing or giving the notices to the US Postal Service (or other delivery service) fills in the date and time and signs the form. The deposit must occur during normal business hours at least 15 full days prior to the hearing.

All units appear to use the Mining Journal for published notices. Ads generally appear as display ads or in the legal notice section of the classifieds. The publisher signs and mails a notarized affidavit of publication at no additional cost.

NOTICES OF ADOPTION OR AMENDMENT

Most local ordinances do not mention the publication of adoption or amendment to an ordinance and map. Technically this is a requirement of the legislative body. It is recommended that a reminder of this requirement be included in the letter transmitting a proposed amendment. The legislative body must publish a notice of adoption for text and map amendments within 15 days of that action. The ordinance does not become effective until 7 days after adoption or a later date as specified in the motion of adoption, or as set by charter. The Resource Management/Development Department staff regularly reviews legal notices published in the Mining Journal. However, mailed notices are rarely submitted as part of the County Planning Commission's review of ordinance and map amendments. Nor is there any follow-up review of published notices of adoption.

CONTENTS OF THE ADOPTION NOTICE SHOULD INCLUDE:

- Function of the ordinance (regulating development and land use for a complete ordinance or a summary of regulatory effects and/or location of a map amendment)
- Place and time when the amendment can be viewed or purchased
- The effective date

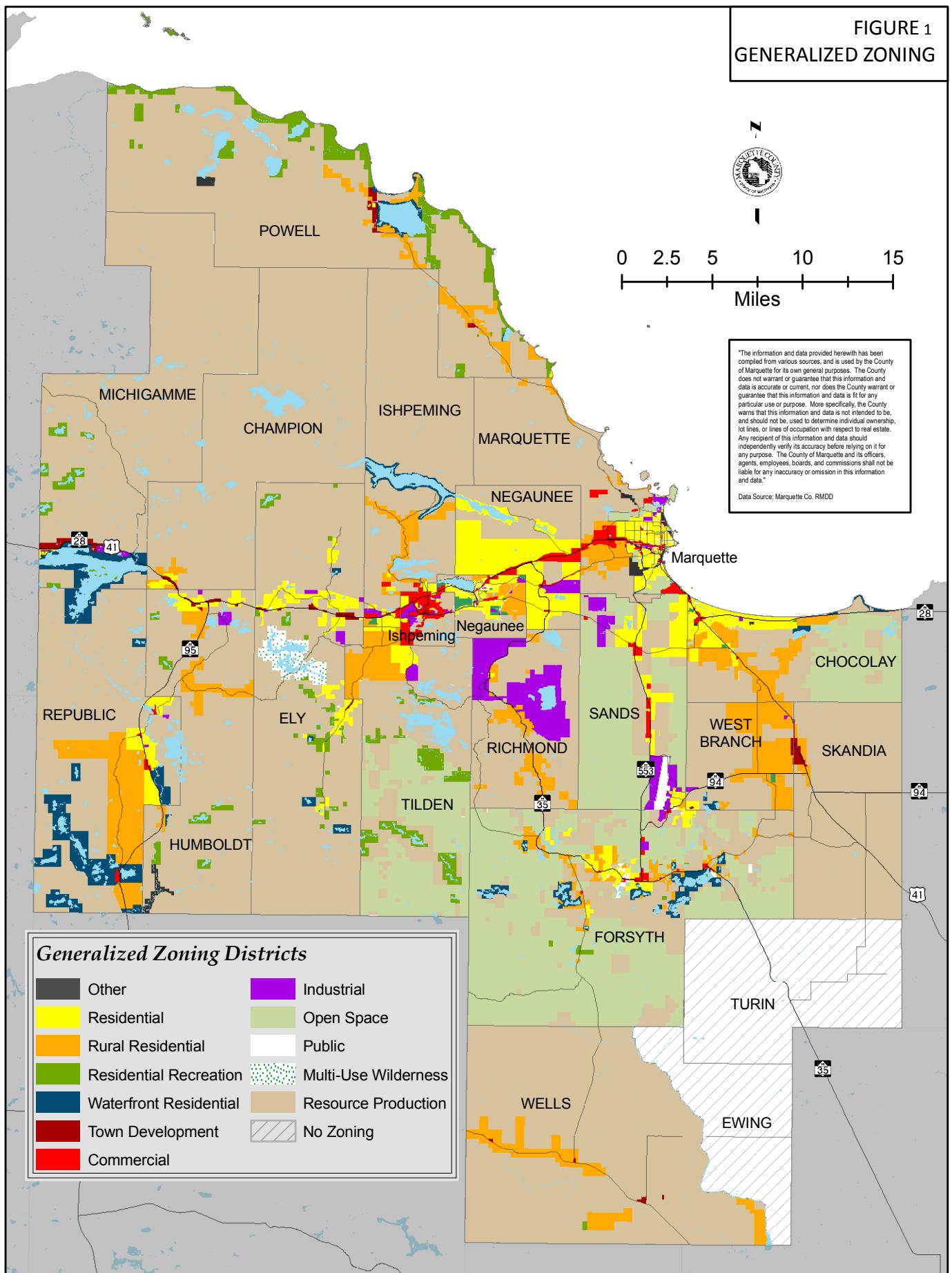
In addition, notice must be sent to the airport manager if the ordinance is applicable within the airport plan area.

SECTION 8: CONSISTENCY WITH OTHER GOVERNMENTAL UNITS

The main purpose of zoning is to improve the health, safety, and welfare of the population and to direct land use towards implementation of the master plan (and any stand-alone segments thereof). Decision makers often overlook the long-term effects of zoning. Other immediate, factors tend to have more weight than goals and policies. A prime example is extensive zoning for seasonal and year round dwelling units in remote areas and along water bodies for the purpose of increasing the tax base.

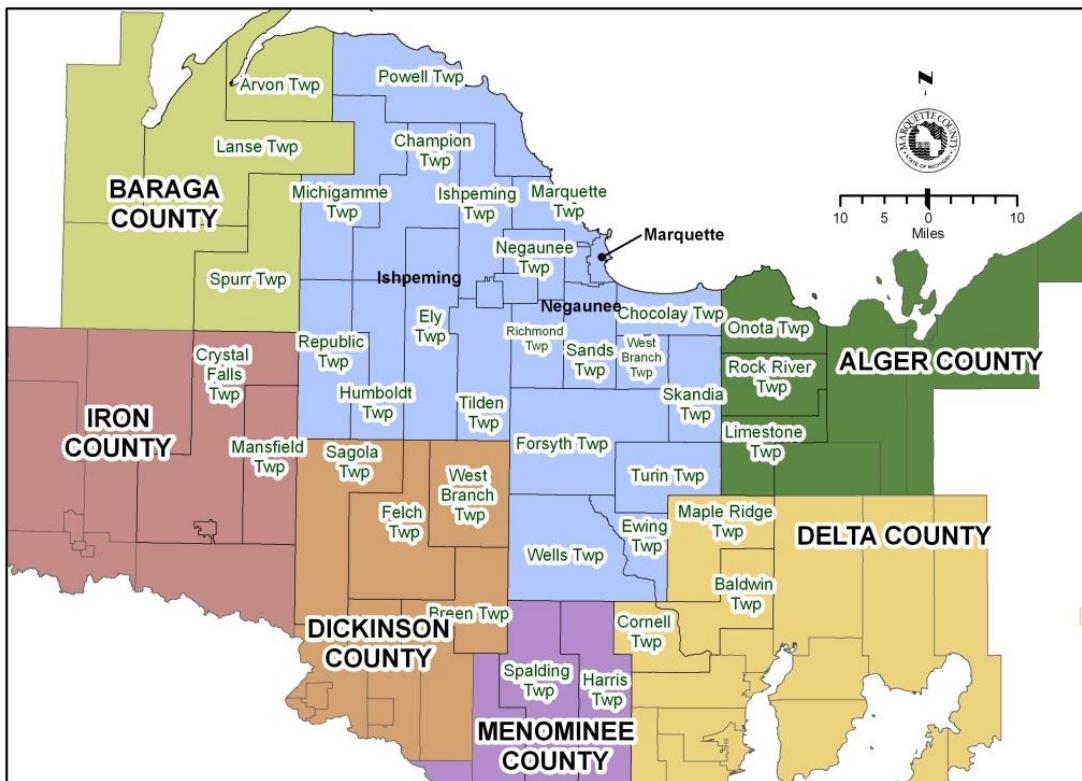
Figure 1 (on page 11) shows generalized zoning within the County. Within Marquette County, there has been little direct conflict between the zones abutting township lines. There are resource and industrial zones that abut zones with residential development. There are several areas where small lot residential abuts open space, resource production, or commercial zones. These zones are generally resource-oriented, with large parcel sizes. With larger parcel sizes and increased setback requirements, development could be located away from the adjacent non-residential property.

FIGURE 1
GENERALIZED ZONING



Part-time zoning administrators and/or assessors often work for several local units. Other examples of collaboration between local governmental units include shared fire departments, first responders, and recreational sites as well as mutual aid agreements. Zoning in one township could increase the impact upon these shared services. Of particular concern are remote areas with high fire risk, poor roads, and/or limited water supplies zoned for seasonal or year-round residential development. Marquette County shares boundaries with six other counties and 17 townships. See Figure 2, Abutting Units of Government.

FIGURE 2, ABUTTING UNITS OF GOVERNMENT



SECTION 9: ZONING RESTRICTIONS

INSTRUCTION IN CRAFT OR FINE ART

Sec. 204 of Act 110 specifies that any occupant of a single-family residence may give instruction in a craft or fine art within the residence as a home occupation. The local unit still may enforce regulations regarding noise, advertising, traffic, hours of operation, etc., however the act does not address whether the local unit can require a special use (conditional use) permit. Most units do not specifically list instruction in craft or fine art. It is assumed this activity falls within the home occupation conditional use.

STATE LICENSED RESIDENTIAL FACILITIES

With the exception of adult foster care residential facilities associated with correctional institutions, all state licensed residential facilities must be treated as a permitted use in all residential zones. They are not subject to hearings or procedures different from a typical residential structure within the district. Most local ordinances comply with this requirement.

CHILD CARE HOMES (FAMILY AND GROUP DAY CARE)

The state mandates that any residence can be used as a family day care home in any zone that allows residential use. In-home family child care (6 or fewer children) is considered a typical accessory of residential use. The use does not require any additional zoning approval. The local unit must issue a special use permit for a group child care home (7-12 children) if the site meets location, fencing, operational and appearance requirements listed in Act 110, Sec. 206 (4). If the site does not meet the requirements listed in the act, issuance of a permit is at the option of the local unit.

OTHER RESTRICTIONS ON ZONING AUTHORITY:

- Hazardous waste disposal and/or storage facilities
- Solid waste facilities
- Utility power lines
- Wind energy power transmission lines
- Pipelines
- Railroads
- State prisons
- Oil and gas wells
- Surface coal mining
- Water pollution
- Farms/farming
- Nuclear power
- Military facilities
- State police radio communication

OPEN SPACE PRESERVATION

This allows a developer to set aside up to half of a site as permanently protected open space. The space could be restricted to the sole use of the development's residents, or it could be open to the public usage. Some local units have adopted PUD zones which provide compliance with this mandate. Others are exempt based upon their population.

SPECIAL REGULATIONS - OVERLAY ZONES

Section 125.3201 calls for uniform regulations within a zoning district, with an exception in subsection 3. Subsection 3 reads "*A local unit of government may provide under the zoning ordinance for the regulations of land development and the establishment of districts which apply to only land areas and activities involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or beach erosion*". These areas are typically referred to as overlay zones. Following are potential overlay zones which should be considered by local planning commissions.

AIRPORT ZONING

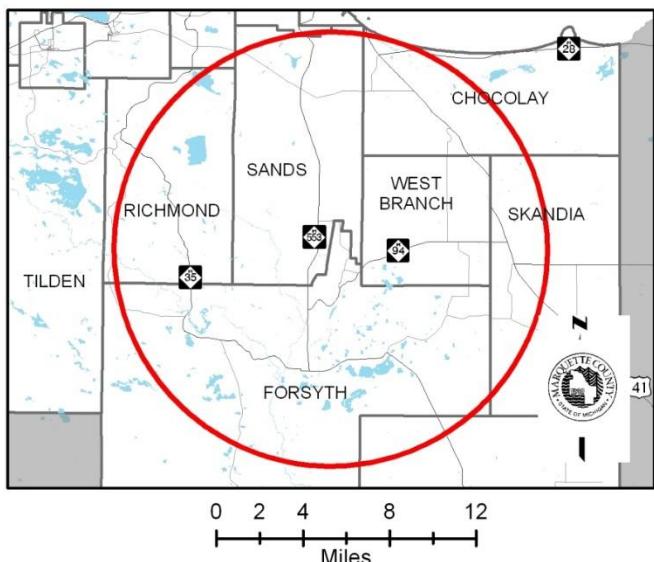
This zone would apply to seven of the townships in Marquette County. Michigan's Public act 23 of 1950, the Airport Zoning Act, applies to publicly owned airports. Its objective is to provide aviation safety and protection to users of the airport as well as individuals who live and work in its vicinity. The act defines projections (primarily trees and buildings) into airspace surrounding the landing area as a hazard and public nuisance. Within this Airport Hazard Area limitations are based upon the elevations above mean sea level at the ends of the airport runways, the established elevation of the airport and the airport reference point. In addition, lighting, radio communication and some land uses (particularly those that create smoke or vapor or attract birds) are also restricted. A permit is required before any new use is established or any structure is built or modified. These airport zoning permits are in addition to any zoning permit required by a local unit. Additional FAA regulations may also apply.

If a local unit of government adopts or revised a plan required under Section 203 (1) of the new zoning enabling act, after a copy of the airport layout plan or airport approach plan has been filed with the local unit, they must incorporate the airport plan into their local plan. Ordinances adopted prior to March 28, 2001 do not have to comply with the airport plan. Amendments and variances granted after that date cannot allow any increase in inconsistency with the airport plan.

In 2000, the County Board adopted a new Airport Zoning Ordinance for K.I. Sawyer International Airport, revoking a 1966 ordinance focused initially at the former County Airport in Negaunee Township. For KI Sawyer Airport, the zone is a ten-mile radius from the intersection point of the centerlines of the existing runway and the proposed crosswind runway. This zone consists of four concentric sub-zones. See Figure 4, Sawyer International Airport Zoning.

The Resource Management/Development Department is the zoning administrator. The department's Building Code Division issues an average of 85 airport zoning permits annually. The Sawyer International Airport Zoning Board of Appeals reviews appeals. This board consists of five members. An annual meeting is mandatory. It has not received any petitions, and has not held any additional meetings.

FIGURE 3 AIRPORT ZONING



It is recommended that local units create an overlay zone to demarcate the airport zone. This will inform the public of its existence and encourage consideration of the development limitations enforced by the Airport Zoning Board in formulating their plans.

WELLHEAD PROTECTION

Often contamination or failure of existing individual supply sources makes it necessary to establish a community water supply system for health reasons. Frequently alternative water sources are limited. Except for the City of Marquette's water system, all of the community systems within Marquette County utilize wells. Wellhead protection is recommended but not required. Overlay zones generally identify these areas. Numerous land use activities threaten the quality of our groundwater resources. Contaminated water can affect public health of our residents and the economic health of our communities. Only well-conceived and coordinated land management efforts can protect the County's aquifers. See Figure 6, Wellhead Protection Areas, on the following page.

POTENTIAL USES OF OVERLAY ZONES INCLUDE:

- Dam inundations footprints
- High fire risk areas
- Extreme slopes
- Caving grounds
- Wild or scenic rivers
- Historic district
- Access management
- Flood prone areas

FIGURE 4 WELLHEAD PROTECTION AREAS

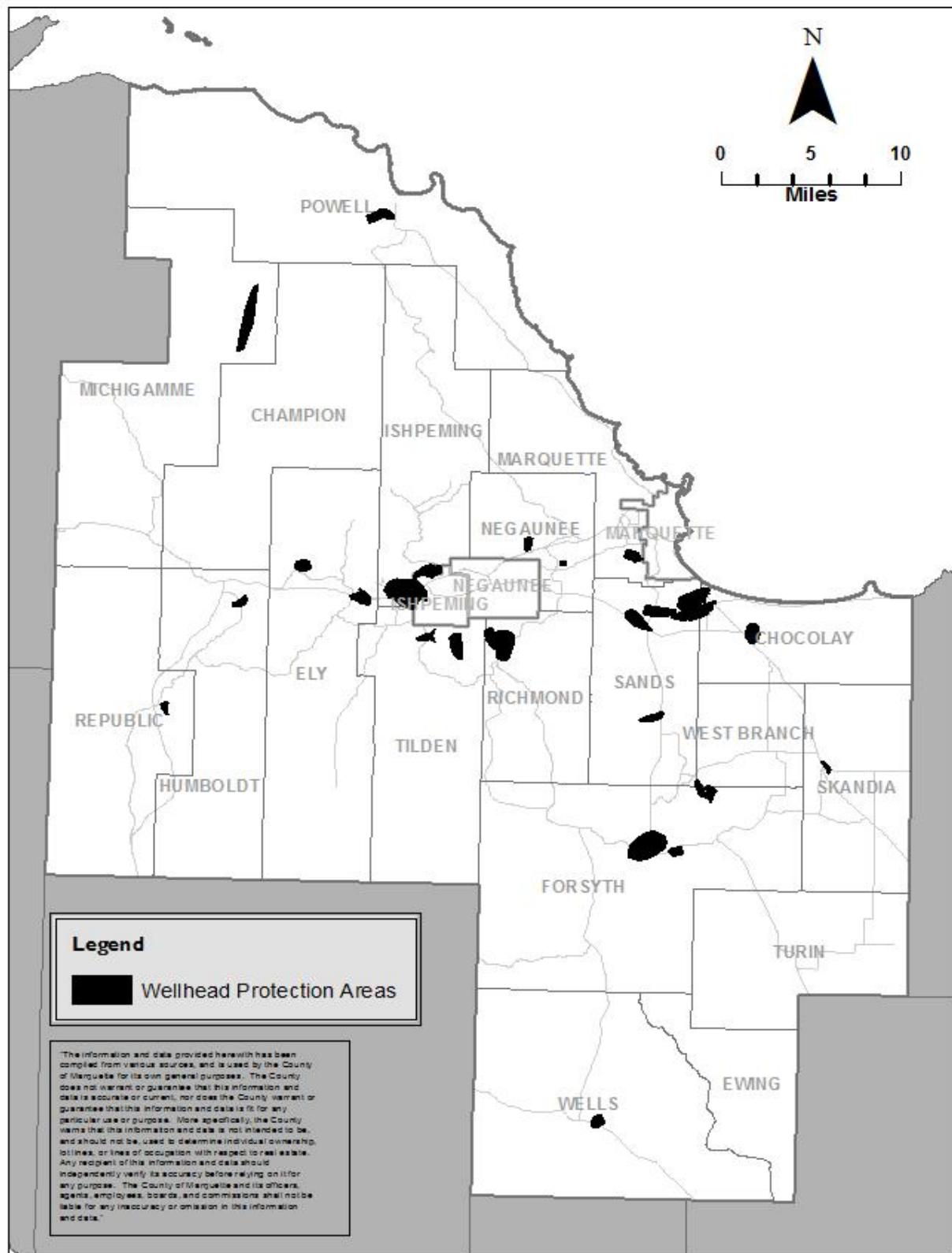


FIGURE 5 HIGH RISK FIRE AREAS

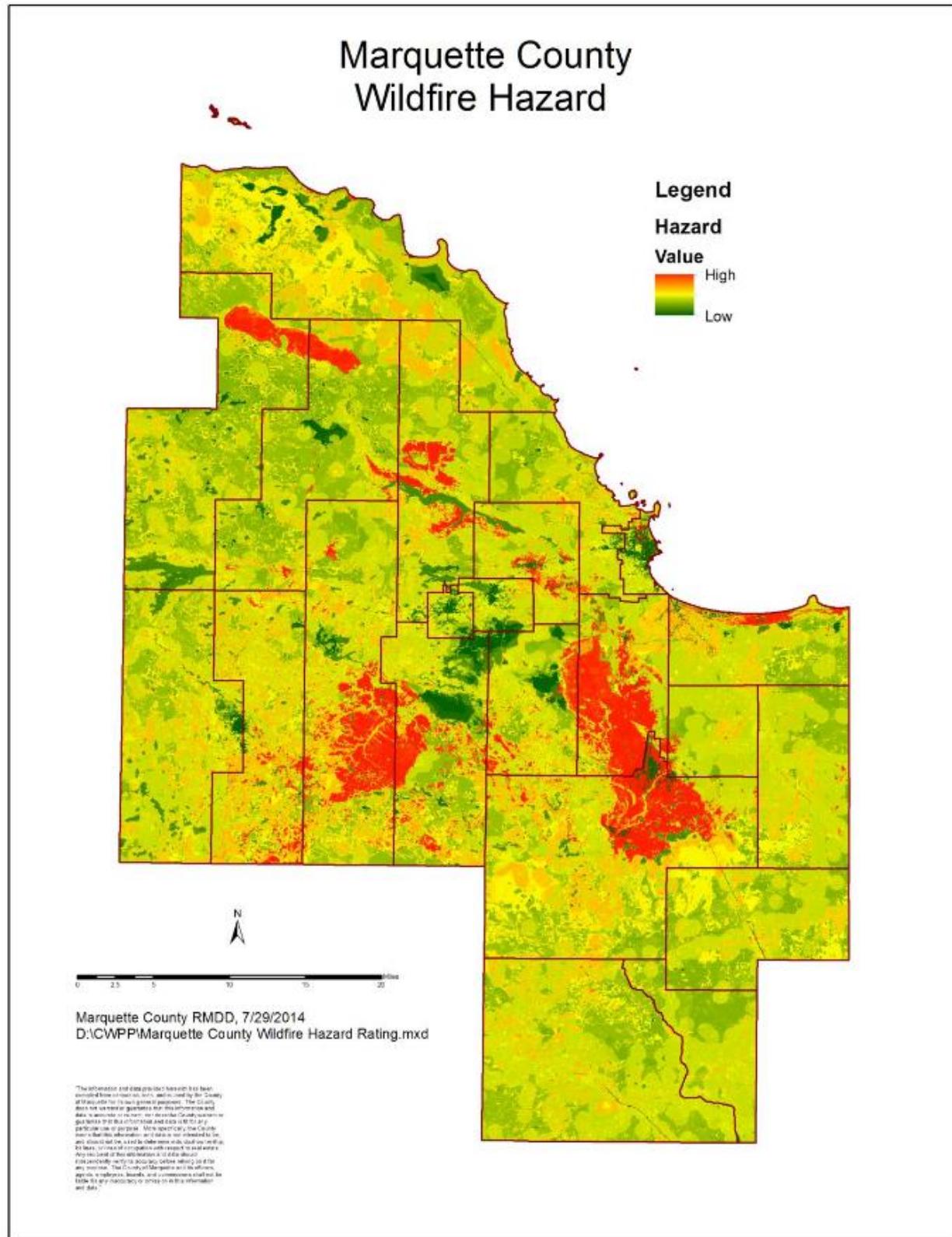
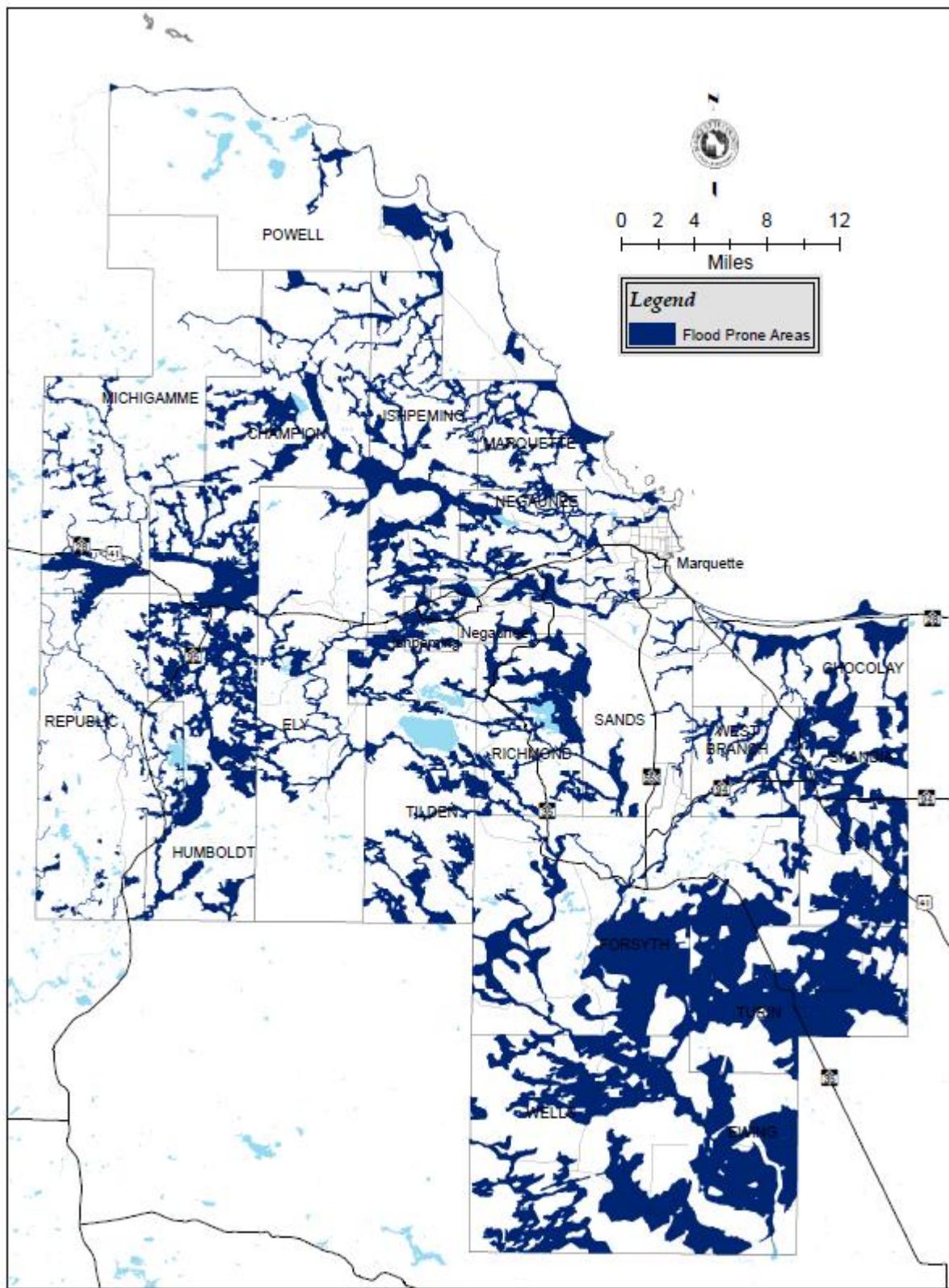


FIGURE 6 FLOOD PRONE AREAS



SECTION 10: PLANNING AND ZONING TRENDS AND TOPICS

Since Euclidian Zoning first came on the scene, there have been trends in zoning. First was a hierarchy of uses with single family at the peak of a pyramid that allowed all uses in the base zone, then came separation of incompatible uses, and performance-based regulation. Currently the trend is form-based codes and sustainable communities, which encourage mixed uses, working where you live and reduced impact on the environment. Similarly as technology advanced and lifestyles changed, new regulations for things like parking lot design, swimming pools and decks were incorporated into ordinances. This chapter will address some of the recent “hot issues”, those that may develop, and some that have not yet been incorporated.

FORM-BASED ZONING

Most of the zoning ordinances enforced within Marquette County are based upon separation of use, with mixed commercial and residential components. Marquette Township has an ordinance that is based upon performance. The City of Marquette has recently adopted two form-based codes: The Downtown Waterfront Code and the South Marquette Waterfront Code. *A form-based code is a method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm by controlling physical form primarily, and land uses secondarily, through city or county regulations.*

Form-Based Codes Institute definition

Form-Based Zoning controls land-development through standards related to building placement and form. It specifies the design framework of the built environment and public areas. It has “build to” lines as opposed to “setbacks”. The buildings form the walls of outdoor public areas. They are designed to encourage pedestrian usage, which strengthens the neighborhood. Building size and guidelines for uses create the flexibility needed to address current and future needs of the community. Form-Based Codes use many graphics to illustrate regulations.

OUTDOOR WOOD BURNING BOILERS/FURNACES

Due to the availability of wood and tight budgets, there has been an increase in use of outdoor wood burning boilers and furnaces. Poorly designed stoves and those with inadequate chimneys, frequently smoke. Insufficient combustion air or use of wet or treated wood or garbage is another cause of excessive and odiferous smoke. This can be a nuisance or health hazard to residents of adjoining properties. Regulations range from out-right prohibition to mandatory distances from property lines or neighboring houses or minimum site size. Other regulations prohibit use of treated wood or garbage, limit operation between May 31st and September 1st, and/or require spark arrestors and/or placement on concrete.

SHORT TERM RENTALS

With the fast rising popularity of online home/apartment rentals sites, many local units are struggling to find a solution to regulate them. In a survey taken of local units in 2015, two identified short term rentals as a major issue needing to be addressed. These short term rentals are often unregistered as rentals and do not meet codes such as parking and fire regulations. Another issue in regulating these short term rentals is tax rates, as non-principle residences are taxed at a higher rate and hotels also generally charge a specific tax. Landlords and the hotel industry generally oppose these rentals. However, short term rentals offer an alternative to hotels that many people desire. They offer great size variation, often from a single room to an entire house, and frequently have cooking amenities. These rentals are located all over, not just in districts with hotels, so the rentees may get a more “local experience”.

They can also have a positive economic impact, providing additional areas for visitors to stay, especially during major events.

AGRICULTURE / URBAN AGRICULTURE

Also gaining a lot of attention in recent years is local food and topics related to it. Growing interest in backyard chickens, agriculture, and beekeeping (for example) has been of concern to some local units in terms of regulation. Within Marquette County, local units have taken varying approaches to the topic. Local regulation is preempted by the Michigan Right to Farm Act. Recent amendments to the act and the Generally Accepted Agricultural and Management Practices (GAAMPs) have caused some confusion for local units regarding regulation which has prompted some to review ordinances and regulations to check their conformance with the State Act.

ACCESS MANAGEMENT

All units address the provision of off-street parking in some manner. Off-street loading areas are also addressed in some ordinances. These regulations protect the investment in public streets, the primary purpose of which is to move traffic. Generally, access management is a combination of Michigan Department of Transportation and/or County Road Commission and local regulations. Units with larger populations, larger commercial districts, major highways, or primary county roads, have more detailed regulations. Most units have some regulation of driveways used to access businesses. The access management overlay zone is based upon the Michigan Access Management Guide Book and the US-41 / M-28 Access Management Plan. For local units that have adopted access management, the standards apply to parcels fronting on US-41/M-28 and within certain distance of the right of way. Some units also apply the standards to other roads. Access management limits the number of access points. In addition to clear vision triangles and design requirements, it encourages use of cross connections and sharing driveways between adjacent businesses. It requires use and maintenance agreements before creation of shared-driveways. Depending on the size of a development, a traffic impact study could be required. The US-41/M-28 Access Management Corridor Group review these plans as well as the Planning Commission or the Zoning Administrator.

OTHER HOT TOPICS:

- Medical Marijuana
- Wind Energy Conversion Systems
- Accessory Housing Units
- Telecommunication Towers
- Lighting
- Adult Explicit Entertainment
- Private Roads
- Natural Resource Extraction

ZONING ENFORCEMENT

Zoning violations were traditionally treated as a misdemeanor. Ignored correction notices were followed by seeking authorization to submit a written complaint to the unit's legal advisor, preparation of a warrant, serving the warrant, appearance before a magistrate, and possibly a trial. Cost of enforcement and delays often outweighed support for the ordinance. This can result in deterioration of public opinion and quality of living.

Local units now have the option of treating zoning violations as civil infractions. The process is streamlined, placing responsibility on the alleged violator. Notices to correct the violation, (ranging from 10 to 30 days) are generally issued, they are not required. Citations (appearance tickets), similar to a traffic ticket, are issued.

If the local unit establishes a local violations bureau, initial fines are collected, and retained by the local unit. If the defendant does not respond in the allotted time, and the local unit has established a violations bureau, the ticket

must be rewritten and submitted to the court for issuance. Tickets can be issued each day a violation continues, and the fine structure can increase for repeat violations.

The citations can be delivered in person or by first class mail. The recipient has 10 days to respond. Options include 1) admitting responsibility and paying the fine, 2) admitting the responsibility, with an explanation, or 3) denying responsibility. Options 2 and 3 require a written response to Circuit Court—either on the back of the citation or on a separate form available through the court, requesting either an informal or formal hearing before a magistrate (or judge if a magistrate has not been appointed). The Zoning Administrator and/or the Code Enforcement Officer, defendant and witnesses may attend the informal or formal hearings. Attorneys are not present at an informal hearing. They may be present at a formal hearing. However, because this is not a criminal violation, there is no court appointed attorney for the defendant. A pre-trial hearing is held in an attempt to resolve the issue before scheduling the formal hearing. Failure of a defendant to respond, to appear at a hearing, or comply with a court order is a misdemeanor. A default judgment can be entered for failure to appear.

SECTION 11: ZONING MAPS

Historically zoning maps have been difficult to maintain. Early maps had lettered areas with penciled boundaries or colored with crayon. Later a patterned adhesive was placed on a Mylar sheet that contained a base-map of roads and water bodies. Computer aided design programs (CAD) increased the ease of modifying a zoning map, but only if you had the equipment, program and knowledge to use them. In recent years, geographic information systems (GIS) has greatly advanced the creation and updating of zoning maps. But the need for equipment, programs, and knowledge still keeps this form of zoning map out of the reach of many townships. As a result, the County's Resource Management/ Development Department is entering into partnerships with local units. The County creates and maintains accurate zoning district data in a GIS format. The local unit provides information on rezonings. They receive up-to-date, accurate, and professional maps. The unit receives free GIS viewing software and the zoning data. This allows the townships to share maps, (or targeted areas of maps) in a variety of sizes. The Township can produce paper maps on their office printers and can send maps electronically. The maps can be posted on the Township's website. In addition, the software can be used to identify the 300' notification area for required hearings. For a nominal fee plus printing costs, the county can prepare a 3' x 4' colored map for public display.

The Resource Management/Development Department uses zoning information in its review of proposed zoning amendments, assessing future growth in the County and for sharing information with the public. Accurate zoning data will assist the county's staff in analyzing land use impacts into the future. One of the features of a GIS is the ability to layer data, such as soils, transportation, land use, various utilities, and dwelling units. Qualitative and quantitative information can be quickly generated that will help with decision-making.

Many of the local maps reviewed for this plan lack required or valuable information, such as signatures of the Town Clerk and Supervisor, the original date of adoption, and dates of amendment. It is strongly recommended that a table with file numbers (or address or section number) of amendments and dates be placed near the map's legend. It is also suggested that when a map is made available online, that the date of posting be prominent along with an advisory that the official map is located in the Township Offices and should be consulted prior to taking any action. If a map is produced in several sheets, each sheet should bear the signatures, original date of adoption and the amendment information for that segment of the map. (See Table 4, Zoning Map Profiles)

SECTION 12: AVAILABILITY OF ZONING INFORMATION

Access to zoning information varies widely across the county. Many of the units with small populations have very limited town hall office hours. Most of the websites that are currently available do not have office hours posted. It

is recommended that local units have a website that houses their zoning ordinance, zoning map, and other ordinances. A comprehensive list of boards and commissions with terms, agendas, and minutes is also recommended. Keeping information current remains a problem for many of the local units with their own website. One of the biggest issues for the public is that there is often no way of discerning the status of the information. All postings should be dated. A disclaimer should be prominent stating a number to call for current information.

It is recommended that updated and current records of all amendments be keep easily accessible. This is useful for both staff, boards and commissions, and the public. Some local units list their map amendments on their official zoning map, and their zoning ordinance amendments in the beginning of the zoning ordinance—this is highly recommended.

TRAINING NEEDS

Every year, numerous planning commissions and zoning boards of appeals become entangled in legal issues – issues that could be extremely costly. Frequently these issues could have been avoided. The Michigan Planning Association, the Michigan Township Association, MSU's Planning and Zoning Center, the CUPPAD Regional Planning Commission and other government agencies periodically offer training. When they are available within reasonable distance, one or more representatives of the local unit should attend. In addition to learning from the presenters, attendees from other units have much to offer.

SECTION 13: GOALS AND POLICIES

Since the County does not have a zoning ordinance, the goals in this plan are directed towards assisting local planning commissions, zoning boards of appeals and the County Planning Commission fulfill their legal duties and to bring their local unit closer to meeting its goals and the County's goals.

Local zoning is pertinent to meeting the goals set by individual townships and Marquette County. To be effective, zoning must be true to the long range plans of the local unit. There must be consistent application of planning principals at all levels. Every goal and policy should be reviewed. Every planning commissioner and zoning board of appeals member should be familiar with what their legislative body, (on behalf of all residents and property owners in its jurisdiction) was attempting to accomplish by adopting the zoning ordinance.

General Goal Implementation of local and county plans

Sub-goals

1. Reestablishment of zoning by Ewing and Turin Townships.
2. Maintenance of airspace in the vicinity of KI Sawyer International Airport.
3. Protection of the function of County Roads through access management.
4. Protect water and timber resources.
5. Protect and enhance the function of all state highways within the county.
6. Adoption of the US-41 Access Management Plan by all affected local units by reference, or inclusion of management principals and regulations in their comprehensive plan or as a stand-alone ordinance.
7. Adoption of the Marquette County Hazard Mitigation Plan by all local units.

Policies

1. Assist the Airport Board/Airport Manager with distribution of the Airport Approach Plan or airport layout plan to affected local units.
2. Maintain website with updated versions with County Plans. Make a paper copy available upon request.
3. Assist units of government with accurate placement of overlay zones on their zoning maps.
4. Encourage assessors to include overlay zoning on field cards for affected parcels.
5. Encourage local units to post their zoning ordinances and maps on a website.

General goal All aspects of local zoning ordinances being in compliance with state law.

Sub-goals

1. Adoption of bylaws by local planning commissions and zoning boards of appeals.
2. Membership representative of a range of interests and locations.
3. Increased public awareness of the benefits of zoning.
4. Availability of zoning ordinances, maps and forms to the public.
5. Improve enforcement.

Policies

1. Evaluate areas of representation on the Marquette County Planning Commission & make recommendation to the County Board if an imbalance exists and additional diversity is warranted.
2. Maintain a library (digital) of up-to-date- local plans, ordinances and bylaws within the Resource Management / Development Department.
3. Request copies of annual reports to monitor trends in zoning activity.
4. Conduct thorough reviews of all future amendments to plans and ordinances.
5. Send County zoning review reports to planning commissions as well as township boards.
6. Monitor local responses to Marquette County Planning Commission recommendations regarding plans, and zoning text & map changes.
7. Extend offer of GIS mapping partnership to local units.
8. Make model bylaws and hearing procedures available to local units.
9. Create a checklist for staff review of a local zoning ordinance.
10. Provide townships with links to inexpensive website creation programs; encourage exploration of website partnerships with local school districts / technology classes.
11. Encourage local units to respond to zoning issues and needs with consideration of fact and compliance with local and county plans.
12. Maintain composite zoning and future land use maps.
13. Provide information regarding zoning changes along common boundaries.

General Goal. Provide quality service, while containing costs.

Sub-goals.

1. Minimize exposure to lawsuits.
2. Reduce printing costs.
3. Conduct efficient reviews of ordinances and amendments.

Policies.

1. Encourage local zoning administrators, commissioners and board members to take advantage of training opportunities.
2. Provide local assistance and training as requested or needed.

3. Encourage evaluating the feasibility of units sharing professional staff to increase accessibility during regular office hours.
4. Encourage use of classified ads for routine hearings.
5. Encourage participation in the map partnership and use of GIS maps for identification of notification area and parcels.
6. Create a checklist for staff review of a local ordinance.
7. Create a checklist of county goals and policies for township planning commission consideration.

Table 1: PC Profiles

Local Unit	Members	Per Diem
<i>Champion Twp.</i>	5	30/60
<i>Chocolay Twp.</i>	7	60
<i>Ely Twp.</i>		UNK
<i>Ewing Twp.</i>		
<i>Forsyth Twp.</i>	5	40/30
<i>Humboldt Twp.</i>	5	60/40
<i>Ishpeming Twp.</i>	7	25
<i>Ishpeming City</i>	9	No
<i>Marquette, Twp.</i>	5	55/40/30
<i>Marquette City</i>	9	No
<i>Michigamme Twp.</i>	5	25
<i>Negaunee Twp.</i>	5	75/60/50
<i>Negaunee City</i>	7	No
<i>Powell Twp.</i>	7	35/25
<i>Republic Twp.</i>	5	UNK
<i>Richmond Twp.</i>	5	Yes
<i>Sands Twp.</i>	7	50
<i>Skandia Twp.</i>	5	30
<i>Tilden Twp.</i>	5	UNK
<i>Turin Twp.</i>		
<i>Wells Twp.</i>	5	50/35/30
<i>West Branch Twp.</i>	5	10/hr- 2hr min

Table 2: ZBA Profiles

Local Unit	Members	Per Diem
<i>Champion Twp.</i>	5	Yes
<i>Chocolay Twp.</i>	5, 2A	60
<i>Ely Twp.</i>	5, 2A	UNK
<i>Ewing Twp.</i>		
<i>Forsyth Twp.</i>	5	40/30
<i>Humboldt Twp.</i>	3	35
<i>Ishpeming Twp.</i>	3	25
<i>Ishpeming City</i>	5	No
<i>Marquette, Twp.</i>	5, 1A	Yes
<i>Marquette City</i>	7, 1A	No
<i>Michigamme Twp.</i>	3	25
<i>Negaunee Twp.</i>	3, 1A	75/60/50
<i>Negaunee City</i>	5	No
<i>Powell Twp.</i>	3, 1A	35
<i>Republic Twp.</i>	UNK	UNK
<i>Richmond Twp.</i>	3, 2A	Yes
<i>Sands Twp.</i>	5, 1A	50
<i>Skandia Twp.</i>	3, 2A	30
<i>Tilden Twp.</i>	3	UNK
<i>Turin Twp.</i>		
<i>Wells Twp.</i>	3	50/35/30
<i>West Branch Twp.</i>	3	10/hr- 2hr min

Table 3: Ordinance Contents

	Champion Township	Chocolay Township	City of Ishpeming	City of Marquette	City of Negaunee	Ely Township	Forsyth Township	Humboldt Township	Ishpeming Township	Marquette Township	Michiganne Township	Negaunee Township	Powell Township	Republic Township	Richmond Township	Sands Township	Skandia Township	Tilden Township	Wells Township	West Branch Township
Access Management	Y	Y	N	Y		Y	N	Y		Y	N	Y	N	N	N	N	Y	N	N	N
Administrative Standards	Y	Y				Y	Y	Y	Y		Y	Y	Y	Y	Y		Y	Y	Y	Y
Affidavit of Mailing	Y	N				Y	N	N	U	Y	Y	Y	Y	Y	Y		Y	Y	Y	
Civil Infraction	Y		Y	Y	Y	Y	Y	Y	N		Y	Y	Y	Y	Y		Y	N	N	N
Conditional Rezoning	N		N			N	N	N			Y	N	Y	Y			Y	N	N	
Condominium regs	N		N			Y	Y	Y	Y	Y	Y	Y	Y	Y			N			
Definitions	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Enforcement & Violation	Y					Y	Y	Y	Y		Y	Y	Y	Y	Y		Y	Y	Y	Y
Fences	2	Y	Y	Y,S		2	Y	N	2		Y	Y	Y	Y	Y	2	Y		2	
Form Based Code	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Index or table of contents		Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	N	Y	Y
Intent of zoning district	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Lot split regulations	Y,S					Y		Y,S		Y		Y,S								
Mineral Extraction		Y						N	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Notice requirements	Y, don't comply	Y	Y		N	Y, don't comply	Y, don't comply		Y	Y	Y	Y	Y	Y	Y		N	Y, don't comply	Y	Y
Open Space Preservation		Y	Y			Y			Y	Y		Y	Y	Y	U	U			N	
Overlay Districts	N	Y	N	Y	Y	N		Y	N	Y	N	Y	Y	N	N		N	N	N	N
Outdoor wood burning regs		Y	Y	Y	Y	N		Y	Y			Y,S		N	Y		Y		Y	
Planned Unit Development	N	Y	Y	Y	Y	Y	N		N	U	Y	U	Y	Y	N		Y	N		N
Private roads								Y	Y	N	Y	N	Y		N				Y	
Property maintenance			Y					Y,S		Y,S		Y								
Purpose or Preamble	Y	Y	Y	N		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Rezoning procedures						Y	N	Y		Y	N	Y,S	N	N	Y	Y	N	Y	Y	N
Screening-Landscaping	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Sexually Explicit Businesses	N	Y	N			N	N	N	Y	N	Y	N	Y	N			N	N	N	N
Signage	Y	Y		Y,S	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Site plan requirements	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
Subdivision regs	N	Y,S		Y,S	Y	N	Y	Y		Y		Y,S					N			
Wind energy	N	Y	N			N	N	Y	Y	Y	Y	U	Y	U	Y	Y	Y	N	Y	N
Medical Marijuana	N	N	N		Y	N	Y,S	N			N	Y	N		N		N	N	N	N
Accessory Housing Units	N	Y	N		N	N	N				N	N					N		N	
Number of districts	6 MAP, 7 ZO	9	9 23 ZO, 22 MAP	9	13	16	10	13	7	8	7 10 MAP, 15 ZO	9	6	8MAP, 7 ZO lists PUD Separate	6	5	7 MAP, 11 ZO	11		

S= Separate Ordinance
 2= Required/Regulated in some districts and with some uses
 U=Unclear/Uncertain

Table 4: Zoning Map Review	Title	Legend	Scale	Adoption Date	Amendment Date	Amend File #s	Signature(s)	Section Lines, Discernable Boundaries, etc.	Web Site Map	
<i>Champion Township</i>										No map found
<i>Chocolay Township</i>	Y	Y	Y	Y	Y	N	Area provided	Y	Y	
<i>City of Ishpeming</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	Y	N	In progress
<i>City of Marquette</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	No Section Lines	Y	
<i>City of Negaunee</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	Y	Y	
<i>Ewing Township</i>										
<i>Ely Township</i>	Y	Y	Y	Area provided	Area provided	Area provided	Y	Y	N	
<i>Forsyth Township</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	Y	N	
<i>Humboldt Township</i>	Y	Y	Y	Y	N	N	N	Y	Y	
<i>Ishpeming Township</i>										In progress
<i>Marquette Township</i>	Y	Y	Y	Site says draft	N	N	N	Y	Y	
<i>Michigamme Township</i>									N	No map found
<i>Negaunee Township</i>	Y	Y	Y	Y	Area provided	Area provided	Area provided	Y	Y	
<i>Powell Township</i>	Y	Y	Y	Y	Area provided	Area provided	Area provided	Y	Y	
<i>Republic Township</i>	Y	Y	Y	Y	Y	N	Area provided	Y	Y	
<i>Richmond Township</i>	Y	Y	Y	Y	Y	Area provided	Y	Y	N	
<i>Sands Township</i>	Y	Y	Y	Y	Area provided	Area provided	Y	Y	Y	
<i>Skandia Township</i>									N	No map found
<i>Tilden Township</i>	Y	Y	Y	Y	Area provided	Area provided	Area provided	Y	N	
<i>Turin Township</i>										
<i>Wells Township</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	Y	N	
<i>West Branch Township</i>	Y	Y	Y	Area provided	Area provided	Area provided	Area provided	Y	N	In progress

Table 6: Accessibility

Local Unit	Website	Facebook
<i>Champion Twp.</i>	Y	Y
<i>Chocolay Twp.</i>	Y	Y
<i>Ely Twp.</i>	Y	Y
<i>Ewing Twp.</i>	N	N
<i>Forsyth Twp.</i>	Y	N
<i>Humboldt Twp.</i>	Y	Y
<i>Ishpeming Twp.</i>	Y	N
<i>Ishpeming City</i>	Y	Y
<i>Marquette, Twp.</i>	Y	Y
<i>Marquette City</i>	Y	Y
<i>Michigamme Twp.</i>	Y	N
<i>Negaunee Twp.</i>	Y	Y
<i>Negaunee City</i>	Y	Y
<i>Powell Twp.</i>	Y	N
<i>Republic Twp.</i>	Y	Y
<i>Richmond Twp.</i>	N	N
<i>Sands Twp.</i>	Y	N
<i>Skandia Twp.</i>	N	N
<i>Tilden Twp.</i>	N	N
<i>Turin Twp.</i>	N	N
<i>Wells Twp.</i>	N	N
<i>West Branch Twp.</i>	N	Y