



CHEBOYGAN COUNTY PLANNING AND ZONING DEPARTMENT

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Date: January 29, 2019

To: Cheboygan County Planning Commission

From: Michael Turisk, Planning Director

Re: Amendment #151 to Zoning Ordinance No. 200 regarding Indoor Storage Facilities and Special Land Use Permit Procedures and Standards

Planning Commissioners,

On December 19, 2018, we briefly discussed the attached proposed Zoning Ordinance Amendment #151 that regards Indoor Storage Facilities and Special Land Use Permit Procedures and Standards. Also on that date, the public hearing regarding this amendment was scheduled for February 6, 2019.

Recall that, currently, the Zoning Ordinance restricts Indoor Storage Facilities to County primary roads and State trunklines, per Section 17.27.3. The proposed amendment, however, would simply strike this language from the Zoning Ordinance, thus conceivably allowing additional opportunity to establish this commercial land use.

Furthermore, Section 18.7. indicates that "*...minor residential streets shall not be used to serve as access to uses having larger area-wide patronage...*" This proposed amendment was largely prompted by a recent conditionally approved Special Use Permit application for a riverfront restaurant/bar in Indian River.

Attached are the applicable meeting minutes from the March 28, 2018 and September 26, 2018 Zoning Board of Appeals meetings and the October 5, 2018 Planning Commission meeting as they are considered relevant to the proposed ordinance amendments to be discussed at our public hearing on February 6.

CHEBOYGAN COUNTY ZONING ORDINANCE
AMENDMENT #151

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200
RELATIVE TO INDOOR STORAGE FACILITIES AND
SPECIAL LAND USE PERMIT PROCEDURES AND STANDARDS

Section 1. Amendment of Section 17.27.

Section 17.27.3. of the Cheboygan County Zoning Ordinance No. 200 is hereby repealed in its entirety and reserved for future use.

Section 2. Amendment of Section 18.7.

Section 18.7. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

Section 18.7. Standards for Special Land Use Approval (**Rev. __/__/19, Amendment #151**)

The Planning Commission shall approve, or approve with conditions, an application for a special land use permit only upon a finding that the proposed special land use complies with all of the following standards:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. ~~Minor residential streets shall not be used to serve as access to uses having larger area wide patronage.~~ Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.

Section 3. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:
John B. Wallace
Its: Chairperson

By:
Karen L. Brewster
Its: Clerk