



Cheboygan County Board of Commissioners

MISSION STATEMENT

Cheboygan County officials and staff will strive to provide public services in an open and courteous manner and will responsibly manage county resources.

**Reconvened Board of Commissioner's Meeting
Cheboygan County Planning Commission
Joint Meeting**

Wednesday, December 20, 2017

Room 135 - Commissioners Room

Cheboygan County Building, 870 S. Main St., Cheboygan, MI 49721

7:00 P.M.

Agenda

1. Call to Order
2. Roll Call
3. Invocation/Pledge of Allegiance
4. Approve Agenda
5. Brief Citizens Comments – (3 minutes per person)
6. Old Business
7. New Business
 - A. Resolution 17-015 New Voting Equipment
 - B. Joint Discussion of Planning and Zoning Matters
8. Citizens Comments
9. Board/Planning Commission Comments
10. Adjourn to the Call of the Chair



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721

PHONE: (231)627-8485 ■ FAX: (231)627-3646

www.cheboygancounty.net/planning/

Date: December 14, 2017

To: Cheboygan County Board of Commissioners, Cheboygan County Planning Commission and Mr. Jeff Lawson, Cheboygan County Administrator

From: Scott McNeil

Re: Review of Zoning Ordinance Amendments pursuant to the zoning plan and goals of the Cheboygan County Master Plan.

In preparation for the joint meeting of the Board of Commissioners and the Planning Commission attached please find copies of chapters 1, 3, and 5 of the Cheboygan County Master Plan relative to the planning process, goals and objectives and zoning plan recommendations. Also below please find a listing and brief overview of actions and zoning ordinance amendments which have been adopted or are in development pursuant to goals listed in the Master Plan.

Master Plan Goal: Create a new, user-friendly zoning map

Action: An audit of rezoning amendments was completed. Zoning maps were updated accordingly. New maps were added to the zoning ordinance and the GIS department updated the zoning mapping system for internal use and use on the Cheboygan County web site.

Master Plan zoning change recommendation: Regarding the P-LS Lake & Stream Protection zoning district. – Refine this zoning district to better identify water resources in need of protection rather than everything that is on the USGS topographical map.

Action: Amendment #131 was adopted which rezoned property located on ponds, drains and intermittent streams from Lake and Stream Protection (P-LS) to a zoning district consistent with the surrounding area over the entire county. (See attached rezoning map)

Master Plan Goal: Refine for clarity the allowable uses in each district. Create a table of allowable uses within the ordinance. Create consistent terminology of permitted uses. List all permitted uses in each district rather than referencing allowable uses in other zoning districts.

Action: A seven point work plan was developed. Items 1 through 3 of the work plan have been addressed. (See attached work plan and prioritized use listing memo) As a result of this ongoing project amendments #135 regarding use listings to be deleted, #140 regarding assembly uses, #141 regarding uses related to convalescent homes have been adopted. Proposed amendments #144 relative to office and service uses and #145 regarding restaurant and bar uses have been subject to public hearings and have been recommended for submission to the Board of Commissioners. Another proposed amendment relative to vehicle repair and gasoline sales is near completion.

Master Plan Goal: Update PUD language, consider allowing other uses and PUD rezoning options to provide more flexibility.

Action: A PUD (Planned Unit Development) zoning ordinance amendment was developed which would provide conditions and approval process to allow a mixing of uses currently allowed in different districts. Discussion continues with regard to approval as a rezoning which would include approval by the Planning Commission and the Board of Commissioners or provide for approval by the Planning Commission only as allowed under the Zoning Enabling Act of 2006. Attached you will find an updated blue sheet and PUD amendment document as presented to the Board of Commissioners for your review. A copy of a confidential letter dated March 7, 2017 from attorney Brian Graham relative to the proposed PUD language will be provided at the meeting.

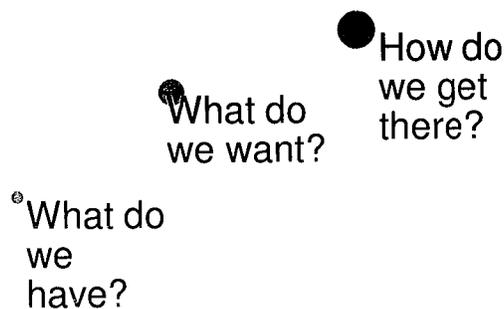
A byproduct of the PUD discussion produced amendment #136. This amendment provides for an approval process and standards for a Planned Project. Provisions of the amendment include the ability of the Planning Commission to reduce setback, parking and dwelling size requirements in conjunction with approval of an overall mixed use development plan for property within a single zoning district.

Chapter 1 Intro to Plan and Planning Process

What is a Master Plan and why do we have one?

The County's Master Plan is our blueprint for our future. It guides our land use decisions and subsequent development by creating land use goals for the next 10 to 20 years. We create a vision so that we always keep in mind how we intend to retain our economic health, conserve our natural resources, meet the needs of residents and business people, ensure an efficient transportation system, ensure compatible land uses, and promote public health, safety, and welfare.

In creating this plan the question is asked of Cheboygan County stakeholders: What do you want Cheboygan County to be like in the future? To be best able to answer that question, the plan provides information as to what we have now. Goals are identified and then objectives are determined which will help achieve those goals.



What does this have to do with zoning?

This isn't a zoning ordinance, which is a law. However, the Master Plan is the guide and the community's policies that are used to make changes to that law. The Master Plan is the vision, the zoning ordinance is the system of rules that make that vision reality. State law requires that any place that has a zoning ordinance must have also have a Master Plan and must use that Master Plan when any changes are made to that zoning ordinance law.

Why should people be involved?

It's important to know that change *will* happen regardless of whether we plan for it. This Master Plan is an effort to determine what kind of change is desired and how to achieve the *desired* goals. You can do your part to make sure your community's interests are communicated and the community's goals are included in future updates to this Plan. This will go a long way in making sure that the change that occurs is desired by the community.

This Master Plan should be a living document. This means that it should be updated as often as necessary to reflect changing community values, land use trends, and new goals.

For more information, visit the Master Plan website: www.cheboygancounty.net/masterplan

Presentation of this Master Plan

The Cheboygan County Master Plan is presented in a manner to make it as easy to use as possible. The plan is oriented to first provide the goals and objectives of the community, the plan to make changes to the related land use laws, then provide the background data that help guide the decision making. This plan is presented in this way to provide the most relevant information needed to take action at the outset.

Also included as part of this Master Plan document is a shortened summary version of the plan showing the Future Land Use Map along with the basic goals and objectives. The Master Plan information, links to other related information, as well as any new information will be maintained at the Master Plan's website which is www.cheboygancounty.net/masterplan.

Chapter 3 The Community Vision - Goals and Objectives

The following are goals and objectives formed directly from input gathered from Cheboygan County stakeholders. Included here is a discussion on how the Planning Commission can achieve those particular objectives which are at least partially within their scope of work. Other objectives may receive support of the Planning Commission but they may not be within the power of the Planning Commission.

These are not presented in a particular order of priority. To find a prioritized list of action items, see the Zoning Plan section of this Master Plan. These goals are all categorized by the following general topic headings: Public/Private & Intergovernmental Collaboration, Community Development, Natural Resources & Recreation, Public Services & Infrastructure, Transportation, and Economic Development.

Public/Private & Intergovernmental Collaboration

GOAL → Promote cooperation between adjacent communities and municipalities.

Maintaining good communications among neighboring municipalities can increase efficiencies and help other entities be more aware of opportunities for growth. A good example of this is the Cheboygan County Trailways Advisory Committee. This group meets monthly to share their experiences with their local trails. The participants share grants that they have utilized as well as methods on how to deal most effectively with issues that they have come across. These meetings sometimes include state and regional entities such as the DNR and County Road Commission.

Objectives

- a. **Maintain existing and encourage similar intermunicipality planning committees, such as Northern Cheboygan County Intermunicipal Planning Committee (NCCIPC).**

The Northern Cheboygan County Intergovernmental Planning Committee (NCCIPC) was formed to encourage cooperation between local governmental units. The planning committee is made up of representatives from the townships of Beaugrand, Benton, and Inverness, the city of Cheboygan, and the county of Cheboygan. It is recognized by these entities that intergovernmental cooperation can produce a climate of trust and collaboration and create stronger leadership. Coordinated efforts can lead to more efficient government, which can also lead to more economic development opportunities and cost savings to tax payers.

- b. **Maintain thorough communication on planning & zoning and capital improvement activities with the townships and other entities within Cheboygan County.**

Better coordination of activities across governmental units can create greater efficiencies. Brining, plowing, and road improvements are just some examples of how coordinated efforts across multiple jurisdictions can lower costs. Cheboygan County Planning Commission, through its Capital Improvement Planning process, has a real opportunity to create these avenues of communication.

- Provide annual report on Planning Commission activities to MTA as well as periodic updates as appropriate.
- Provide annual communications meant to address the taxpayers and voters in Cheboygan County. Include information on how anyone can get involved in local government decision making.

c. Coordinate efforts to reach common goals such as land use planning along common borders, blight reduction, shared land use goals as listed in each entity's master plan, and economic development.

- Recognizing that counties cannot enact blight ordinances per se, Community Development staff should serve as liaison, facilitators, and/or coordinators of blight efforts by townships, city, and villages.
- Initiate more ways to communicate through social media, newsletters, and email with townships, neighboring communities, residents and business owners within Cheboygan County.
- Work with the road commission for better access management (improved means of vehicular access to property that is less costly, more efficient and safer).
- Coordinate planning efforts for other forms of transportation and recreation including rural transit and non-motorized transportation routes and recreational pathways.

d. Provide joint training in good land use planning principles and best practices.

- Offer training opportunities appropriate for all levels of government on common planning matters.

Community Development

GOAL → Encourage quality development and well-maintained buildings and property.

Quality development is not only good for business, it can improve the health and safety of our residents and employees, preserve the natural environment, and improve the overall quality of life.

Objectives

- a. **Assist townships and other local municipalities to coordinate efforts to increase community beautification and reduce blight, recognizing that each level of government has unique tools and those efforts can be coordinated to reach common goals.**
 - Update signage zoning provisions to accommodate more potential recreational trail signage improvements. (The DNR is being asked to allow for more signs on the trails to alert trail users to more commercial businesses. We don't currently have clear provisions for this type of commercial signage.)
- b. **Encourage local township and community activities that support better planning, design, and management of public spaces.**
 - Request sharing of information from townships as they do Capital Improvements to their parks and recreation assets and other municipal properties.
- c. **Identify neighborhoods below median home value in the county and consider targeted rehabilitation efforts.**
- d. **Provide for a variety of home occupations which lower business startup costs.**
 - Review home occupation regulations for appropriateness to current trends.
 - Provide for more artisan home occupations in all areas of the county that provide for artisans to live and work in the same location which may include retail use.

GOAL ➔ Ensure a diversity of commercial activity and residential living options.

Clearly each community has its own character and this character evolves over time. It is important to allow for growth and change by providing flexibility in land use regulations which still preserve the character of the community. The population of Cheboygan County is older, on average. The county is also experiencing a loss of its young adults as they move to bigger cities with more options. Cheboygan County won't be all things to all people, but the range of opportunities for both commercial activity and additional residential options should be explored. In some cases, due to rising energy costs and a need to simplify, very small homes have become more desirable for some. An example of diversifying of commercial activity includes creating more options for home-based businesses. Very appropriate for this rural area, home based businesses that are also compatible with surrounding residential uses are often necessary.

Objectives

- a. **Provide for neighborhood corner stores and similar small business opportunities.**
 - Provide for rural commercial areas within the county on the future land use map.
- b. **Preserve existing "neighborhood" commercial uses such as party stores and bar/restaurants at rural intersections.**

- Provide for rural commercial areas within the county on the future land use map.
- c. **Ensure affordable, accessible, independent living opportunities.**
 - Explore allowing more Accessory Dwelling Units which would allow people to age with dignity in their own home or a home of a close friend or family member.
- d. **Provide protection of quality rental housing, downtown housing, and adequate property maintenance.**

GOAL ➔ Provide adequate and efficient standards for land use development.

Land use regulations must strike a very important balance of providing opportunities for growth in quality of life, personal income while also protecting the natural resources and preventing encroachments and threats on neighbors' quality of life. Although the ordinance has been amended more than 100 times, these amendments are very important and ensure the ordinance meets current needs, which are always changing.

Objectives

- a. **Amend the existing ordinance to provide for changes in the economy and improvements in land use regulation methods.**
 - Evaluate parking standards and update ratios and dimensions as appropriate.
 - Create incentives within the zoning ordinance to encourage development within existing commercial corridors, specifically within existing sewer districts and in locations where existing public infrastructure already exists. Incentives should also be used to encourage infill development.
 - Evaluate Planned Unit Development (PUD) review process that involves rezoning and flexibility in use standards. Allow for more uses in some PUD situations which provides more flexibility in plan review.
 - Evaluate form based codes to allow for more appropriate standards for some downtowns and more flexibility of allowable uses.
 - Streamline the list of allowable uses in all zoning districts, combine similar uses to reduce confusion, provide table of allowable uses within the zoning ordinance to clarify allowable uses.
 - Create means for expedited zoning approvals for redevelopment of existing buildings.
 - Utilize a new future land use category identifying Rural Commercial Nodes where isolated but desirable small commercial activity exists and should be preserved. Utilize new land use category designation for those areas not already accommodated by existing zoning.

- Create optional use and design standards based on the goals of the Master Plan which, if adhered to, allow for expedited approval.
- Select common uses in commercial and industrial zoning districts and redevelopment sites which could receive expedited administrative approval, providing an attractive business opportunities.

GOAL → Ensure promotion and preservation of historic, cultural and recreational resources in Cheboygan County.

Cheboygan County already has an extensive collection of attractions that bring visitors to our area and, if presented in the right way, could help those visitors realize that this is also a great place to do business. Cheboygan County has a very high quality of life which attracts people of all ages. It is a highly desirable place to live and work. Cheboygan County has the most coastline of any county in Michigan as well as many miles of forest “coastline”, or private properties that border a state forest. In addition, the historic resources are significant not only to local residents but played a role in the development of the state and our nation.

Objectives

a. Allow for flexibility in reuse of historic buildings.

- Provide more flexibility in allowable uses for existing buildings where it may not be feasible to continue the previous use.

b. Provide ample opportunities for historic and appropriate tourism activities.

- Ensure zoning provisions allow for agri-tourism and other tourism that provides a means for economic growth in our rural county.

Natural Resources & Recreation

GOAL → Ensure adequate recreational trail development, maintenance, and promotion of recreation for residents of all ages and abilities.

Recreational assets create economic development in many ways. The trails create opportunities for people to live healthy lifestyles, which in turn reduces health care costs overall. Recreational assets bring more visitors to the area which also grow the local economy through local retail, restaurant, and lodging establishments. The Outdoor Industry Association (OIA) estimates that in the State of Michigan, outdoor recreation generates \$18.7 billion in consumer spending, 194,000 direct jobs, and \$5.5 billion in wages and salaries. Nationally, the OIA estimates that annual consumer spending on outdoor recreation is almost double the amount of consumer spending on motor vehicles and parts. Also, across the nation more people are employed in the outdoor industry than the construction trades.

Objectives

a. Ensure access to trails by appropriate users of all abilities.

- Participate in a county-wide recreational trail and pathway study to ensure connectivity, accessibility, and coordination with township efforts.
- b. Provide recreational opportunities throughout the county for all ages.**
 - Participate in a county-wide recreational trail and pathway study to ensure connectivity, accessibility, and coordination with township efforts.
- c. Encourage trail development for trails of all kinds including motorized, non-motorized, water trails and harbors.**

GOAL ➔ Leverage the natural resources for appropriate forms of economic development while maintaining excellent conditions of natural resources.

Efforts can be made to create more opportunities to utilize the County's extensive recreational assets for more entrepreneurial growth. One example is to partner with the DNR to allow for more signs along and near recreational trails to alert trail users to nearby businesses that may serve their needs.

Objectives

- a. Monitor condition of natural resources, educate citizens on causes of deterioration and incentivize maintenance of natural resources.**
 - Staff provides, annually, information compiled from local organizations on water and natural resource quality measurements for Planning Commission to monitor and act upon as needed.
- b. Allow for responsible oil and gas extraction and evaluate screening requirements.**
 - Staff provides, annually, information compiled from the state well permits for Planning Commission to monitor and act upon as needed.
- c. Encourage responsible use and management of the Pigeon River Country wilderness area.**
- d. Ensure adequate protection of high water quality.**
 - Staff provides, annually, information compiled from local organizations on water and natural resource quality measurements for Planning Commission to monitor and act upon as needed.
- e. Encourage promotion of recreational resources and evaluate sign regulations to allow for appropriate trail-side signage.**
 - Update signage zoning provisions to accommodate more potential recreational trail signage improvements. (The DNR is being asked to allow for more signs on the trails

to alert trail users to more commercial businesses. We don't currently have clear provisions for this type of commercial signage.)

- f. **Communicate the “Natural Affordability” of Cheboygan County.**
- g. **Encourage retention of open space and scenic vistas using Planned Unit Developments (PUD) and provide incentives for clustering of non-farm development.**
 - Allow for more uses in some PUD situations which provides more flexibility in plan review.

Public Services & Infrastructure

GOAL ➔ Provide opportunities for safe and efficient use and transport of energy sources.

Energy costs are rising and showing no signs of getting any cheaper in the future. Other means of energy production shouldn't be hampered by local land use regulations as long as they can be assured of being compatible with local land use goals. Transportation options should also be provided. Rural transit can provide a much-needed option for low-income residents of the County to remain employed regardless of the condition of their automobile. This can help them not only stay employed but make the payments on their home and pay for needed healthcare for their family. A transportation system that accommodates all users of all abilities increases everyone ability to remain mobile, active, healthy, and employed.

Objectives

- a. **Allow for appropriate use and transport of all forms of energy.**
- b. **Ensure opportunities for development of renewable energy that maximizes sustainable use of natural resources and retains energy dollars in the local economy.**
 - Improve opportunities for farmers to take advantage of Wind Turbine Generator.
- c. **Keep up to date on evolving renewable energy technologies, land use implications and ensure regulations are appropriate.**

GOAL ➔ Encourage efficient broadband implementation throughout the county using local providers when appropriate.

More and more, broadband is a necessary part of life. Education systems utilize the Internet for lessons. Higher education opportunities are available in rural areas via the Internet as long as broadband is available. For many businesses, the Internet is their primary avenue to reach their customers and is more important than good roads. The fastest growing business sectors are those with companies doing business on the Internet.

Objectives

- a. **Ensure local regulations are consistent with FCC, with needs of local providers and with emerging technologies.**
- b. **Ensure land use information is available for use by private sector Internet Service Providers to make market decisions.**

GOAL → Provide incentives and flexibility to reuse and repurpose existing public and institutional buildings.

Rising costs of providing education force some schools to consolidate and close some of their buildings. In order to eliminate the potential for building to remain vacant for extended periods of time it is important for land use laws to add some flexibility for allowable uses in those buildings.

Objectives

- a. **Explore option to amend the zoning ordinance to allow for PUD's that rezone properties and accommodate additional uses.**
- b. **Explore option to create an overlay zoning district for existing school and public buildings for appropriate reuse.**

GOAL → Encourage educational opportunities for youth focused on the benefits of the quality of life in northern Michigan and educate on the entrepreneurial opportunities in Cheboygan County.

Objectives

- a. **Encourage youth involvement and understanding of local planning and zoning. Create opportunities for youth to understand how to get involved in local decision making.**

Transportation

GOAL → Maintain an adequate transportation system

Transportation options for people of all abilities should be provided. A transportation system that accommodates all users of all abilities increases everyone ability to remain mobile, active, healthy, and employed.

Objectives

- a. **Improve access management standards for new development which will provide safer and more efficient movement of vehicles and pedestrians.**
 - Expand on what access management is and examples of what can be done.
 - Include recommendations for future access management plan needs.

- b. **Ensure roadways are planned and designed and constructed to be accessible to all legal users of the road including pedestrian, bicyclists, ATV riders, motorists, and transit riders of all ages and abilities.**
 - Discuss transportation system connectors for non-motorized users on roadways (recommend future connector route study but include some potential connectors now).
- c. **Ensure adequate rural transit opportunities.**
 - Support Straits Regional Ride efforts
- d. **Provide adequate public input opportunities for transportation planning and decision making process.**

GOAL ➔ **Recreational trail network to enhance transportation options**

Recreational trails can serve as a transportation alternative, providing safer and more convenient transportation options.

Objectives

- a. **Develop links between schools and residential areas to promote safer routes to schools and between neighborhoods.**
- b. **Encourage links of new residential and commercial development to recreational/transportation trail systems.**
 - More support for the discussion of transportation system linkages for non-motorized and rural road users such as ATV/ORV road users.

Economic Development

GOAL ➔ **Support agriculture and encourage farming and forestry opportunities**

Farming has been part of Cheboygan County’s history. Local food production can enhance the economy of Cheboygan County by providing not only local food needs but also become an export that brings money into the local economy. Properly managed forest assets in the County also have the potential, as they have throughout Cheboygan County’s history, to provide much needed income for local landowners. These resources need special attention in the zoning ordinance to allow for appropriate use and protection.

Objectives

- a. **In the zoning ordinance, recognize the different needs of farming compared to forestry. Each should be adequately recognized and accommodated.**

- b. Acknowledge the importance of the agriculture industry and lands to the scenic character, quality of life, and economic development of the County.**
- c. Acknowledge the importance of forestry industry and management.**
- d. Increase land available for farming, especially niche agricultural crops in future land use goals.**
 - Increase land in Ag/Forest future land use category.
 - Ensure prime farmland soils are available in the Ag/Forest land use wherever possible.
- e. Use incentives rather than regulations to keep land in farming or forestry use.**
- f. Provide adequately for forestland and timber production including large timber stands, sawmills, and lumber grading and processing facilities.**
 - Review the zoning ordinance to ensure agriculture and timber production is accommodated according to the demand.
- g. Ensure agriculture is a top priority due to its importance to local residents' physical health, economic health, community character, and quality of life in Cheboygan County.**
- h. Provide opportunities for farmers to take advantage of wind turbine, gas, oil leases primarily as a farming land use preservation tool.**
 - Review zoning provisions for wind turbines, gas & oil production.

GOAL ➔ Protect and enhance the existing commercial development and maximize new growth opportunities

The most important work to create greater economic development is to support a community's existing businesses and assist in their efforts to grow. These businesses already employ people, already pay taxes and are invested in the community. Also, when these businesses grow they will act as an attractor for new and complementary businesses to locate nearby.

Objectives

- a. Ensure adequate year-round business opportunities.**
- b. Increase opportunities to reuse existing buildings.**
 - Provide more flexibility in allowable uses for existing buildings where it may not be feasible to continue the previous use.
- c. Communicate land use information and available properties for business owners seeking to relocate in Cheboygan County.**

- Encourage partnerships with townships and assessors to ensure an up-to-date GIS database of commercial and industrial buildings.
- d. Review zoning requirements to ensure a streamlined review process that allows for flexibility through form-based codes or other similar methods.**
- Provide more flexibility in allowable uses for existing buildings where it may not be feasible to continue the previous use.
- e. Involve Youth in the planning of community events and public spaces.**
- f. Encourage Youth-oriented entrepreneurial training programs**
- g. Encourage opportunities for special events that are family and youth oriented.**

Chapter 5 Five-year Implementation Plan (Zoning Plan)

The Zoning Plan is an important part of a Master Plan. It explains how the land use categories on the Future Land Use Map relate to the zoning districts as well as how the Goals and Objectives relate to improvements needed in the zoning ordinance. The importance of a Zoning Plan is to facilitate immediate action to accomplish the goals of the Master Plan.

Future Land Use/Zoning Comparison Table

The following table shows how the Future Land Use category compares with the existing zoning districts and a brief summary of the recommended changes. Additional detail on the recommended changes are included in the discussion of that particular future land use category in the previous chapter.

Table 1- Future Land Use/Zoning Comparison Table

Future Land Use Category	Current Zoning	Recommendation
Natural Resource & Water Resource Protection	P-LS Lake & Stream Protection P-NR Natural Rivers Protection P-RC Resource Conservation	Refine language for this district to better identify water resources in need of protection rather than <i>everything</i> that is on a 7.5' USGS topographical map.
Public Interest Area	M-AF Agriculture & Forestry Management D-RC Rural Character/Country Living P-LS Lake & Stream Protection P-NR Natural Rivers Protection P-RC Resource Conservation	Public lands are allowed in all zoning districts and no specific zoning district is proposed for this land use category.
Forest/Agriculture	M-AF Agriculture & Forestry Management	It is proposed that land used for agricultural purposes be identified and those lands used for forestry purposes be identified separately. Based on this information, it is possible that the Planning Commission will want to create two separate zoning districts.
Rural Character/Country Living	D-RC Rural Character/Country Living	For those areas that are currently in the M-AF zoning district and

Future Land Use Category	Current Zoning	Recommendation
	M-AF Agriculture & Forestry Management	near areas zoned residential, a D-RC zoning district may be more appropriate and compatible with residential areas.
Residential	D-RS Residential Development D-MR Mixed Residential Development	No particular changes specific to the <i>boundaries</i> of this district are proposed.
Lake, River, & Stream Protection	P-LS Lake & Stream Protection	Refine these zoning districts to better identify water resources in need of protection rather than everything that is on a 7.5' USGS topographical map.
Commercial	D-CM Commercial Development	No particular changes specific to the <i>boundaries</i> of this district are proposed.
Commercial – Office, Research & Development	D-CM Commercial Development M-AF Agriculture & Forestry Management	For some areas that are currently M-AF and near D-CM, this is intended to be an appropriate transitional zoning district.
Village Centers	VC Village Center VC-IR Village Center Indian River VC-IR-O Village Center Indian River Overlay VC-T Village Center Topinabee VC-T-O Village Center Topinabee Overlay VC-T-R Village Center Topinabee Residential Overlay	There are some additional areas in the County that could be considered for a new Village Center zoning district with appropriate regulations for that community.
Rural Commercial Nodes	No existing zoning	These areas are each unique in their needs. Most of these areas will be rezoned upon request from the individual land owner or local government entity. Each may require a unique and new zoning district created either as a standalone district or overlay.
Light Industrial	D-LI Light Industrial Development	No particular changes specific to the <i>boundaries</i> of this district are

Future Land Use Category	Current Zoning	Recommendation
		proposed.
General Industrial	D-GI General Industrial Development	No particular changes specific to the <i>boundaries</i> of this district are proposed.

It is important to recognize that any of these ordinance changes can take longer than expected and demand may arise for a particular ordinance amendment. Either of these situations can alter the actual year by which the ordinance change is accomplished.

Table 2 - Zoning Ordinance Changes Based on Master Plan Goals

Zoning Ordinance Changes	Target Year for Revision
Refine for clarity the allowable uses in each district. Create a table of allowable uses within the ordinance. Create consistent terminology of permitted uses. List all permitted uses in each district rather than referencing allowable uses in other zoning districts.	2014
Provide more flexibility in Industrially zoned areas - consider uses to be permitted by expedited administrative review and additional uses such as indoor recreation, renewable energy, medical research, movie industry, IT/office uses.	2014
Create a new, user-friendly zoning map	2014-2015
Allow for signs along recreational trails. Create appropriate sign regulations considering recreational trails in a similar manner to public rights of way with sign sizes appropriate for trailside placement.	2014
Update sign standards to allow sign size to be proportional to building façade size.	2014
Accommodate commercial storage uses	2014
Update PUD language, consider allowing other uses and PUD rezoning options to provide more flexibility.	2015
Create use and design standards that, if adhered to, provide an expedited administrative approval which attract business opportunities. (i.e. use of property to be redeveloped, standards for common allowable uses)	2015
Update home occupation regulations to allow more and appropriate home-based business opportunities.	2015
Accommodate those small commercial uses in rural areas that are not appropriately zoned. (i.e. Rural Commercial Nodes on FLU Map)	As requested by communities
Update renewable energy facility accommodations	2016
Update shared parking standards	2016
Update the parking requirements for more flexibility and more accurate	2016

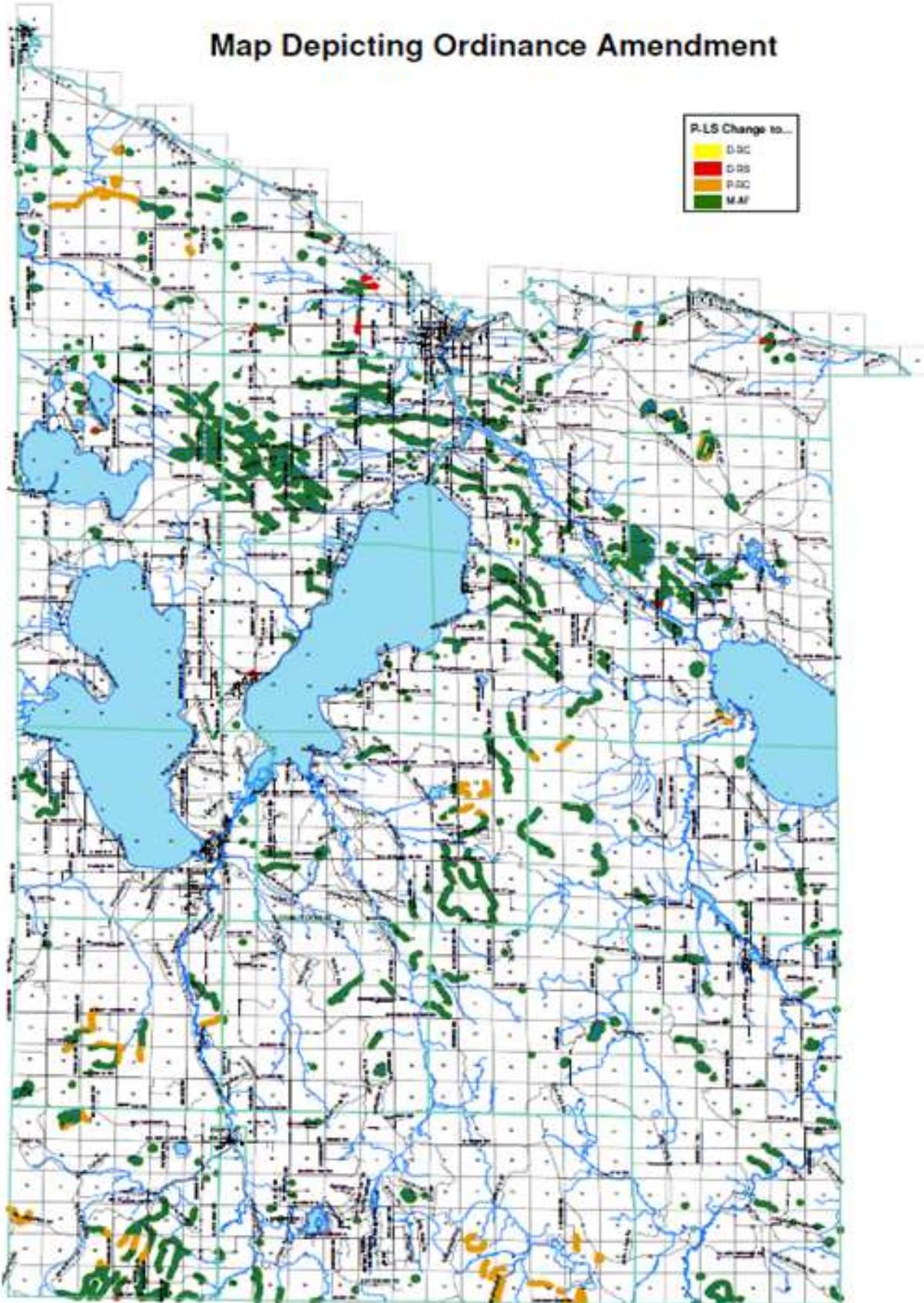
standards.	
Clarify recycling operation use requirements	2016
Create <i>maximum</i> parking requirements for big box stores.	2016
Include where appropriate accommodations for accessory dwelling units to accommodate needs of an extended family.	2017
Clarify subdivisions and their zoning districts	2017
Add standards for access management.	2017
Identify and rezone as needed those are that should be Forest separate from Agriculture, and vice-versa.	2018
Review zoning ordinance to ensure adequate provisions to allow for a variety of agri-tourism uses.	2018
Revise zoning ordinance so that the zoning district, such as in Resource Conservation (P-RC), does not depend on ownership alone. Current regulations of Section 12.1 state that ownership determines the zoning district, which does not support due process of zoning changes.	2018

Maintaining a Master Plan – Ensuring its effectiveness

Although a Master Plan’s purpose is to provide the best possible long-term vision, it is important to review the plan as needed and at least annually. State law requires it to be reviewed every 5 years, however an annual review can ensure that the plan remains relevant. This annual review of the master plan should be included in the process of creating the Planning Commission’s Work Plan as well as the drafting of the annual Capital Improvement Plan (CIP).

A Master Plan is based on data from many sources. Although the census is conducted only once every 10 years, other data is available annually or even more frequently. Some important data that impacts land use controls should be reviewed as often as possible. For instance, important land use data might include household size, housing types/cost/conditions, on-going zoning enforcement matters, adjacent jurisdictions planning and zoning efforts, and infrastructure changes. Some of the infrastructure changes to keep an eye on include transportation systems, water/sewer systems, energy costs and regulatory changes, and additions to the county’s recreational assets.

Map Depicting Ordinance Amendment



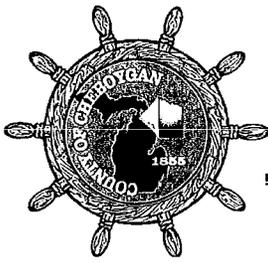
Use terminology review work plan.
Adopted by the Planning commission on February 17, 2016

The Planning Commission adopted a project at the July 1, 2015 regular meeting as recommended for future projects in the Master Plan under Zoning Ordinance Changes which is written as follows:

Refine for clarity the allowable uses in each district. Create a table of allowable uses within the ordinance. Create consistent terminology of permitted uses. List all permitted uses in each district rather than referencing allowable uses in other zoning districts.

The following work plan was approved by the Planning Commission on February 17, 2016:

1. Conduct inventory and table of existing allowable uses.
2. Identify redundant and antiquated uses as well as items which are not uses, per se. These items would be recommended for deletion.
3. Identify similarly worded uses to be standardized under common terminology; propose common terminology. Define. (*Propose Amendment from results of steps 2 and 3*)
4. Remove references to permitted uses in other districts by adding those referenced uses to zoning district. (*Propose Amendment*)
5. Review uses by zoning district. Define remaining uses.
6. Identify new uses to be added. Define.
7. Create table of allowable uses by zoning district. (*Propose Amendment from results of steps 5-7*)



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: April 20, 2016

To: Planning Commissioners

From: Scott McNeil

Re: Use terminology review.

Listed below are use categories which have different and related use listings based on my review of the Table of Uses which was provided to the Planning Commission earlier this year.

I would like direction from the Planning Commission on which use categories should be addressed first and how many could be addressed at a time.

Auto Repair/Vehicle Repair

Campgrounds

Clubs/Assembly Halls

Commercial Farms

Commercial Recreation/Outdoor Recreation

Convalescent Homes

Contractors Yard

Essential uses

Farm Markets

Gas Stations/Party Stores

Green Houses/ Nurseries

Institutional uses (Churches, Schools, Municipal)

Restaurant/Bar

Retail

Single family, Two family, Multi-family

Tourist/Travel Lodging (cabins, hotel, motel, lodging houses – define transient etc.)

Attached is a copy of the use terminology review work plan for your convenience.
Please do not hesitate to contact me with questions or comments.



Cheboygan County Board of Commissioners' Meeting 2017

Title Discussion regarding draft zoning ordinance amendment for Planned Unit Development (PUD) and the proposed role of the Board of Commissioners in the approval of a PUD.

Introduction

This report is a review of information previously provided. The Planning Commission has requested discussion with the Board of Commissioners prior to proposing a formal ordinance amendment because of the extent that this changes the county's traditional zoning process. The proposed amendment offers an approval process called a Planned Unit Development (PUD). A copy of the draft amendment is included. This proposed PUD option would allow for uses to be approved on a parcel that wouldn't normally be allowed under that parcel's zoning district regulations. This is a significant change to zoning because, as it stands now, to get permission to conduct a land use that isn't allowed under the current zoning district would involve a zoning amendment which, as you know, requires a law change and approval by this board of commissioners.

A PUD provides for a mixing of new uses to be approved if the applicant can show how the new use is compatible with surrounding land uses and is paired with additional open space, screening, or other improvements that ensure compatibility with surrounding land uses.

Since new land uses which require a rezoning must currently be decided upon by the Commissioners and the PUD amendment as currently proposed would change the zoning to PUD District, we are seeking your input on a change that would allow the Planning Commission to make this decision. Does the Board prefer to keep the ability to approve new land uses not currently allowed on a parcel or would you be comfortable with the Planning Commission, under a new ordinance, making these decisions? Legal counsel is suggesting that these types of decisions regarding PUD's should be made by the Planning Commission rather than the Board of Commissioners.

Details

The following is listed in Table 1 – "Zoning Ordinance Changes Based on Master Plan Goals" in the Master Plan Document:

Update PUD language; consider allowing other uses and PUD rezoning options to provide more flexibility.

The Planning Commission approved this Master Plan goal as a priority in 2015.

Currently Article 19 of the zoning ordinance regarding PUD's only allows uses which are allowed in the zoning district in which the PUD is proposed. This proposed amendment completely rewrites article 19 pursuant to the adopted goal in the Master Plan.

The purpose statement included in the draft amendment includes language to encourage design flexibility and innovation in land development. The purpose statement also includes language that both developers and Cheboygan County officials can propose and review site plans which integrate housing, circulation networks, commercial facilities, open space and recreational areas which are compatible with the surrounding area and natural environment via a PUD.

The proposed amendment allows for mixing any use listed in the zoning ordinance except for those uses which are only allowed in Light Industrial and General Industrial zoning districts. The exception to this would be for PUD's proposed in an area currently zoned industrial. A PUD is proposed to be approved as a rezoning and when approved, changes the zoning district to PUD. This could be changed if the board agrees so that these are not rezonings and the final decision would be made by the Planning Commission, which is the recommendation of legal counsel.

General requirement provisions include the ability to allow lot sizes which are less than the current minimum along with design and infrastructure requirements. Development standards proposed in the draft amendment include provisions which would allow lesser setbacks. Setbacks for industrial non-residential uses from other uses are provided along with a minimum open space requirement of 15% of the land to be developed.

A method of approval is proposed which includes a pre-application conference with the Planning Commission. The draft also provides criteria and procedure for submission of an application and site plans. Standards for approval by the Planning Commission and the Board of Commissioners are also included. At this time, the draft amendment requires both the Planning Commission and the Board of Commissioners to hold public hearings make findings of fact on the standards for approval. The Planning Commission would make a recommendation to the Board of Commissioners for approval, approval with conditions or denial. The Board of Commissioners would then approve or approve with conditions if they find the all of the approval standards are met or deny if they find the approval standards are not met.

The draft amendment provides for expiration of an approved PUD unless construction has begun within one (1) year of the final approval by the Board of Commissioners. The draft also includes provisions for amendments of an approved PUD plan.

Again, legal counsel is suggesting that this decision be made by the Planning Commission based on standards and the Board of Commissioners would not be involved. This option would also provide for a much more streamlined decision making process.

The Zoning Enabling Act allows a procedure for approval of a PUD by the Planning Commission only. Legal counsel has expressed concern with the additional exposure to risk by requiring approval of a PUD by both the Planning Commission and the Board of Commissioners. The Planning Commission has developed this draft ordinance with the recommended approval standards and public hearings as a rezoning due to the great variety of uses that can be combined under the proposed ordinance and subject the PUD to the more rigorous approval process accordingly.

This amendment is being presented at this time in order to discuss with the Board of Commissioners and their desired role in the approval process.

Financial Impact: None

Recommendation: For discussion only

Prepared by: Scott McNeil
Planning and Zoning Director

Department: Community Development

DRAFT for BOC review

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING
ORDINANCE #200 TO PROVIDE STANDARDS AND APPROVAL
REQUIREMENTS FOR PLANNED UNIT DEVELOPMENT (PUD) ZONING
DISTRICT .

Section 1. Amendment of Article 19.

Article 19 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

ARTICLE 19. PLANNED UNIT DEVELOPMENT (PUD)

SECTION 19.1. Purpose The purpose of these provisions is to permit and encourage design flexibility, encourage innovation in land development and variety in design, layout, and type of structures constructed, achieve economy and efficiency with uses of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment and shopping opportunities. This ordinance will enable both developers and Cheboygan County officials to propose and review site plans which integrate housing, circulation networks, commercial facilities, open space and recreational areas which are compatible with the surrounding area and natural environment. A Planned Unit Development district (PUD) is a zoning district, and when applied, changes the zoning district to PUD.

SECTION 19.2. Eligibility Requirements. To be eligible for a planned unit development, a parcel shall meet all of the following:

1. A PUD may be applied for in any zoning district except Lake and Stream Protection (P-LS), Resource Protection (P-RC) and Natural Rivers Protection (P-NR).
2. Minimum lot size for a PUD shall be five (5) acres with a minimum of 350 at the front lot line. Any PUD with proposed industrial use shall contain a minimum of ten (10) acres with a minimum of 500 front feet.
3. The entire lot being considered for a PUD must be under single or unified ownership.
4. The site submitted for a PUD shall be developed as a single integrated design entity even though it may be developed in phases and contain a variety of uses. A PUD proposed to be developed in phases shall require approval of each phase by the Planning Commission.
5. Adequate public streets, sewer, water, utilities and drainage shall serve the site and shall be provided in accordance with all applicable policies, regulations, specifications and ordinances as required by this zoning ordinance and other agency or agencies with applicable jurisdiction.

SECTION 19.3. Permitted Uses. Except as provided herein, the permitted uses within a PUD may consist of any use authorized in any zoning district. Any proposed use, however, shall be consistent with the county master plan for the location in which the use will be developed. In addition, any use that is authorized exclusively in the Light Industrial Development (D-LI) district and/or the General Industrial Development (D-GI) district shall only be permitted in a PUD located in that respective district.

SECTION 19.4. Development standards for Planned Unit Development (PUD) In addition to eligibility standards under Section 19.3. and general requirements under Section 19.4., the site submitted for PUD shall adhere to the following standards:

1. The development standards for the uses proposed in the PUD shall be consistent with the corresponding standards within this ordinance for those uses except as provided in this section.

2. Minimum lot size, Minimum setbacks and Maximum structure height based on use type:

USES	Min. Lot Size		Min. Yard Setbacks (ft.)			Max. Structure Height (ft.)
	Area (sq. ft.)	Width (ft.)	Front (ft.)	Sides (ft.)	Rear (ft.)	
Single Family or Two Family Residential	9,900 per dwelling	70	25	8	10	35
Multi-Family Residential and/or Non-Residential	Submit with plan		25	10	15	35
Industrial	Submit with plan		40 ^A	25 ^A	25 ^A	35

A. Buildings with industrial uses shall be setback from buildings with other uses a minimum of 75 feet.

B. Any portion of a PUD with a non-residential or industrial use shall maintain a perimeter setback of not less than fifty (50) feet from any adjoining or abutting property which contains a residential use.

3. A minimum of fifteen (15) percent of the land developed on any PUD shall be reserved for common open space and recreational facilities for the residents or users of the area being developed. Any required perimeter setback area shall not be used to compute area for required open space. The required amount of open space shall be held in common ownership by each owner of property with the development. The responsibility of the maintenance of all open space shall be specified by the developer before approval of the final plan

SECTION 19.5. Application and approval standards. The following procedures shall be used for the review and approval of a Planned Unit Development (PUD)

19.5.1. Pre-application Conference. A pre-application conference shall be held with the Planning Commission. The goals of the pre-application conference are to acquaint the Planning Commission with the applicant's proposed development, assist the applicant in understanding new or additional information which the Planning Commission will need to effectively consider the application, confirm that the application and all supporting documentation is ready for a public hearing, and to acquaint the applicant with the Planning Commission's initial, but unofficial reaction to the application. In no case shall any representations made by the Planning Commission, or its representative, at the pre-application conference be construed as an endorsement, approval, or denial of the PUD.

a. A request for a pre-application conference shall be made to the zoning administrator who shall schedule a date and time for the pre-application conference. As part of the pre-application conference, the applicant shall submit five (5) copies of a conceptual plan which shows the property location, boundaries, significant natural features, vehicular and pedestrian circulation, and land use for the entire site.

19.5.2. Submission of Application and PUD Plan. Following a pre-application conference, if the applicant desires to proceed, they must submit a complete PUD application which shall include an explanation of the PUD, proposed phases of development, PUD site plans, and application fee to the Zoning Administrator.

1. The PUD site plans shall include;

- a. Site plan of existing conditions which shall include
 1. Existing buildings.
 2. Existing parcel boundaries with tax parcel identification numbers
 3. Existing streets
 4. Existing woodlands
 5. Topography with minimum 5-foot contours
 6. Bodies of water and other significant natural features.
 7. Surrounding land uses and zoning.
 8. Existing utilities, wells and septic systems
 9. Other information as may be requested by staff or the Planning Commission.
- b. Site plan for the proposed development which shall include;
 1. Boundary of the proposed PUD with legal description.
 2. Footprint, dimensions and elevations of proposed buildings
 3. Proposed uses and their general locations.
 4. Layout of streets, drives, parking areas and pedestrian paths.
 5. Proposed parcel boundaries.

6. Minimum setbacks for district perimeters and individual buildings within the development.
7. Proposed perimeter buffer zones and screening.
8. Conceptual landscape plan.
9. Development phases and schedule indicating stages in which the project will be built with time frames for beginning and completion of each stage.
10. Type, estimated number and density range for residential uses within the development.
11. Proposed open space and acreage thereof.
12. Table of required and provided parking for all proposed uses.
13. Proposed location of water and sewer/septic system facilities including easements.
14. Proposed streets within and adjacent to the development including dimensioned right of way and pavement widths.
15. Drainage plan and final topography plan with minimum 5 foot contours.
16. Location of all public utilities including easements
17. Signage plan.
18. A tabulation of the number of acres in the proposed development for various uses including open space, the number of housing units proposed by type.
19. Other information as may be requested by staff or the Planning Commission.

2. The Zoning Administrator shall deem the PUD application and PUD site plans complete if all requirements of this section have been met. The Zoning Administrator shall present the final plan to the Planning Commission at the next regular meeting which occurs at least thirty (30) days from the date of submission of a complete plans and application.

19.6. Standards for PUD approval.

1. In addition to standards and requirements under Sections 19.2., 19.3. and 19.4., the application and site plans for a PUD shall comply with the following standards:

- a. The PUD shall be consistent with master plan.
- b. The PUD is designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area
- c. The PUD will not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff odors, light, glare or other nuisance
- d. The PUD will provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely interfere with the flow of traffic within the site or to and from the adjacent streets
- e. The PUD will have safe and adequate access for emergency vehicles to or within the development and adequate space for turning around at street ends shall be provided. Motorized and non-motorized traffic within the PUD shall be consistent with existing traffic patterns on public rights of way adjacent to the PUD.

f. The PUD will not result in any greater storm water runoff to adjacent property after development, than before. The open space shall be provided with ground cover suitable to control erosion, and vegetation which no longer provides erosion control shall be replaced

g. The design of the PUD will ensure that outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.

h. The PUD will be designed such that phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage or erosion control.

i. The PUD shall meet the standards of other governmental agencies, where applicable.

j. The function and design of the PUD shall be consistent with the purpose as set forth in section 19.1.

SECTION 19.7. Review by the Planning Commission. The Planning Commission shall hold a public hearing on the PUD application and PUD site plans within 30 days of the regular meeting at which it is first reviewed. Notice of the public hearing shall be provided as required in Section 24.2. The Planning Commission shall make findings of fact on the standards for approval and shall make a recommendation for approval, approval with conditions or denial to the Board of Commissioners.

1. The Planning Commission may make a recommendation to the Board of Commissioners concerning waiving any standard for approval upon a finding that all of the following exist:

- a. No good public purpose will be achieved by requiring conformance with the standard(s) to be waived.
- b. The spirit and intent of the PUD provisions will still be achieved.
- c. No nuisance will be created.

2. The Planning Commission may make a recommendation to the Board of Commissioners that reasonable conditions be imposed to insure that public services and facilities affected by a PUD will be capable of accommodating increased service and facility loads, protect the natural environment, conserve natural resources and energy and insure compatibility with adjacent uses of land and promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

- a. Be designed to protect natural resources, the health, safety, and welfare, as well as the social well-being of those who will use the PUD under consideration, residents and landowners immediately adjacent to the proposed PUD and the community as a whole.
- b. Be related to the valid exercise of the police power and purposes which are affected by the PUD.
- c. Be necessary to meet the intent and purpose of the requirements and standards established for the PUD under consideration and be necessary to insure compliance with those standards.

SECTION 19.8. Performance Guarantee. In order to ensure compliance with this section and any conditions imposed under the same the Planning Commission may recommend to the Board of Commissioners that a performance guarantee in the form of cash deposit, certified check, irrevocable letter of credit, or surety bond covering the estimated cost of improvements be deposited with the County Clerk to insure faithful completion of required improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the PUD. The Planning Commission shall include in its recommendation to the Board of Commissioners a procedure by which a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements should be made as work progresses in its recommendation to the Board of Commissioners.

SECTION 19.9. Review by the Board of Commissioners.

1. The Board of Commissioners shall hold a public hearing following requirements of Section 24.2. The Board of Commissioners shall review the record compiled before the Planning Commission, the findings of fact made by the Planning Commission concerning the approval standards, any recommendations concerning waiving any approval standards or imposing conditions, and the Planning Commission's recommended action. The Board of Commissioners may receive additional evidence, but will not re-hear information previously submitted at the public hearing held by the Planning Commission.

2. The Board of Commissioners shall approve or approve with conditions the PUD by rezoning the property if it finds that all of the approval standards are met. In rendering its decision, the Board of Commissioners may adopt as its own the findings of fact made by the Planning Commission, may modify the findings of fact made by the Planning Commission based on the evidence presented to the Planning Commission, may remand the matter to the Planning Commission for consideration of additional evidence the Board of Commissioners considers relevant and further recommendations by the Planning Commission, or may itself gather any additional evidence it considers relevant and make its own findings of fact concerning whether the standards for approval have been met.

3. No application for a PUD which has been denied, wholly or in part, by the Board of Commissioners shall be re-submitted for a period of one (1) year from the date of such denial, except on grounds of new evidence or proof of changed conditions found by the Planning Commission to be valid or if the county's civil counsel by a written opinion states that in the attorney's professional opinion the decision made by the Board of Commissioners or the procedures used in the matter were clearly erroneous. A reapplication shall be processed in the same manner as the original application.

SECTION 19.10. Notation of approved PUD on zoning map.

1. Each PUD approved by the Board of Commissioners shall be noted on the zoning map and shall be assigned a unique identifier.

SECTION 19.11. Expiration, Development and Maintenance of approved PUD.

1. A PUD shall expire one (1) year following an approval by the Board of Commissioners, construction has begun on the development, or the property owner applies to the Planning Commission for an extension of the approved PUD prior to the expiration of the PUD. The Planning Commission may grant no more than two (2) extensions of an approved PUD for additional one (1) year periods each if it finds both of the following:

- a. The property owner presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the property owner.
- b. The requirements and standards for PUD approval that are reasonably related to the development have not changed.

2. If the PUD expires pursuant to subsection 1 above, no work may be undertaken until a new PUD approval is obtained following the procedures for a new PUD.

3. Any property owner who fails to develop and maintain an approved PUD according to the approved PUD application, site plan and conditions, if any, shall be deemed in violation of the provisions of this Ordinance and shall be subject to the penalties provided in this Ordinance.

SECTION 19.12. Amendments to Approved PUD site Plan. Amendments to an approved PUD site plan shall be permitted only under the following circumstances:

1. The owner of property for which a PUD site plan has been approved shall notify the zoning administrator of any desired change. Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the final plan, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - a. Reduction of the size of any building and/or sign.
 - b. Movement of buildings by no more than twenty (20) feet. Movement of signs shall be reviewed according to the requirements for a zoning permit as per Section 21.3, provided all applicable provisions of this ordinance are met.
 - c. Landscaping approved in the final plan that is replaced by similar landscaping to an equal or greater extent.
 - d. Any change in the building footprint of a building that does not exceed ten percent (10%) of the building footprint of that building as originally approved by the Planning Commission, provided that the proposed addition does not alter the character of the use or increase the amount of required parking more than ten (10%) percent. No more than two (2) approvals shall be granted by the zoning administrator under this subsection after approval of the final plan.
 - e. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - f. Changes related to items (a) through (e) above, required or requested by Cheboygan County, or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the special land use, nor any specified conditions imposed as part of the original approval.
 - g. All amendments to final plan by the zoning administrator shall be in writing. After approval by the zoning administrator, the Applicant shall prepare a revised site plan showing the approved amendment. The revised plan shall contain a list of all approved amendments and a place for the zoning administrator to sign and date all approved amendments.

2. An amendment to an approved final plan that cannot be processed by the zoning administrator under subsection 1 above shall be processed in the same manner as the original PUD application by the Planning Commission as required under section 19.7.

Section 2. 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 3. 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:

Its: Chairperson

By:

Its: Clerk