

MENOMINEE COUNTY PLANNING COMMISSION

S904 U.S. Highway 41, Stephenson, MI 49887

(906) 753-2209 Fax 906-753-2200

AGENDA

Regular Meeting

Monday, January 30, 2012

5:00 p.m. CDST

Michigan State University Extension Office –Stephenson

(A quorum of the Board may be present)

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Public Comment *(statements, not debate, limited to five minutes per person on agenda items only)*
- E. Approval of the Agenda

Motion Made by: _____ *Seconded:* _____

- F. Approval Previous Minutes

Motion Made by: _____ *Seconded:* _____

- G. Old Business

- a) Continue 2003 MC Comp Plan discussion/revision
- b)

- H. New Business

- a) Cuppad Grant Applications
- b) Jim Pearson, County Board Member re-appointment
- c)
- d)

- I. Next meeting date _____

- J. Motion to Adjourn

Motion Made by: _____ *Seconded:* _____

Time: _____

MENOMINEE COUNTY PLANNING COMMISSION

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906-753-2209

MINUTES

November 7, 2011

Call to Order

The Menominee County Planning Commission meeting was called to order at 5:00 pm CDT by Chair Lillian Schultz on November 7, 2011 at the Michigan State University Extension office, in Stephenson, MI with the Pledge of Allegiance.

Roll Call

Present: Bill Anderson; Eric Bergh; Wayne Erickson; Jim Pearson; Charlene Peterson; Lillian Schultz; Warren Suchovsky. Quorum to vote was present.

Public Comment (none) – Bob Desjarlais

Approval of Agenda

Additions were made to the agenda: ADD: Brownfield Program application & letter of support

Motion by Anderson, support by Erickson to approve agenda as amended. Motion carried.

Approval of Minutes

Meeting minutes from the October 24, 2011 meeting were approved as written. Motion by Pearson, support by Suchovsky. Motion carried.

OLD BUSINESS:

Continuation of ongoing review of the County Comprehensive (MASTER) Plan commenced.

A general discussion on the basic concept of the Plan was started by Peterson. She suggested making the document more user-friendly and current by eliminating limiting descriptive language that is subject to constant change. By general consensus, the commission agreed that it would be advantageous to make the new Plan document broader in language to keep it up-to-date.

Chapters 8 and 9 were discussed. The Menominee County Parks Plan was updated in 2011 and much of that updated material will need to be merged into the new Plan. Perhaps using the

Recreation Plan as an addendum would be better than reiterating the same material again in the Master Plan. There are a number of items that need changing in the Transportation chapter also.

Chapters 10 and 11 were reviewed with a number of suggested changes to modernize the Plan for the county. No motions for action were taken at this time. However, by general consensus, the full membership of the county planning commission agreed it was time to get the FIRST DRAFT pulled together. Chair Lillian Schultz and Charlene Peterson (V-Chr and Sec'y) will work with MSU Extension office to get the updates made to the document. As chapters become available for review, they will get them to the planning commission members. It was requested that any obvious errors be reported immediately so they can be corrected.

NEW BUSINESS:

Next Meeting Date: To be determined – January 30, 2012 unless we need to meet sooner

Public Comment: (none)

Adjournment:

Motion to adjourn by Anderson, support by Erickson. Carried.

Meeting adjourned at 7:45 pm.

Minutes submitted by:

Charlene Peterson, Secretary

Menominee County Planning Commission

1.0 OVERVIEW AND BACKGROUND

1.1 Introduction

This document, titled Menominee County Master Plan, was previously titled as a Comprehensive Plan for Menominee County. The State of Michigan enacted PA110 of 2006, a revised zoning and planning act, which is known as the Michigan Zoning Enabling Act (MZEA). Public Act 12 of 2008 amended the MZEA and the Michigan Planning Enabling was amended with Act PA 33 of 2008. A master plan is a land use and infrastructure plan that sets forth local goals, objectives, and policies for community (*county in this case*) growth and/or redevelopment over the next 20-30 years. It is used as the basis for the local zoning ordinance, subdivision regulations, other local land use regulations, and for ensuring that capital improvements are consistent with the master plan.

This overall outline based on pertinent historical data about trends in population, economic base, natural features, land uses, current infrastructure of facilities and services, housing, recreation, and transportation can and should be used as a guide for planning purposes. Planned growth and development for potential land uses or possible new business and/or residential developments should be based on consideration of items such as the proximity to utilities, road access and current available infrastructure along the main corridors in the county.

Using the master plan as a guide, the Menominee County Planning Commission can carefully consider and review any development plans that may be presented. Because there are a number of buildings and sites with good infrastructure in and around the city of Menominee, it is most logical that a developer would first consider the land and buildings available in the city of Menominee. The city of Stephenson as well as the villages of Powers, Carney and Hermansville also offer the necessary elements of good infrastructure such as available work force, highway and railroad accessibility, utilities, and sewer systems that create desirable conditions to establish new development. The outlying townships away from main corridors of infrastructure are generally less desirable for industrial development.

Section 203 (1) (MCL 125.3203) of the Michigan Zoning Enabling Act requires: "The zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability and to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to insure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce 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, and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and properties. The zoning ordinance shall be made with reasonable consideration to the character of each district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and

appropriate trend and character of land, building, and population development.”

PLANNING should occur for the following reasons.

The Michigan Planning Enabling (MPEA) Act PA 33 of 2008 states the following: MPEA requires local planning commissions to develop a master plan; permits communities to make choices and set goals instead of accepting whatever happens; prevents wasteful expenditures of public and private funds; allocates scarce resources; helps the public to help make decisions in the planning process for their community; protects property values; contributes to the economic development and sets the stage for building quality structures that add to the tax base.

Notes: All zoning restrictions run with the land, not with the owner of the land.

A zoning ordinance is not a Building Code or Land Division Ordinance or the Health Code. Zoning requires compliance with these items to ensure that public policy is consistently implemented as well as helping to keep the development review procedures on track.

Several land use and development planning efforts have been completed in Menominee County over the years. Before the major revision of this document, the county master plan was based on a 1978 report that was substantially updated and revised by the county planning commission in 1994. The last review was May of 2003 and according to the Michigan Zoning Enabling Act (MZEAE) a review of the Master Plan should be conducted every five years. Changes may not necessarily be needed but it needs to be review to keep it current. Keep mapping updated.

The how, why, where, when, and what type of development occurs is influenced primarily by demographic and economic conditions. Menominee is a rural county with a significant aging resident population, a significant out-migration of its resident young and increasing in-migration of elderly from urban areas.

The County Planning Act as amended (M.C.L. 125.101 et. seq.) states that “no work shall be initiated on any project involving the expenditure of funds by a county board, department or agency for the acquisition of land, the erection of structures, the extension, construction or improvement of any physical facility by any county board, department or agency unless a full description of the project, its proposed location and extent thereof shall have been submitted to the county planning commission and the report and advice of the commission thereon shall have been receivedby the county board, department or agency submitting the proposal.”

The planning commission has thirty (30) days in which to provide written comments to the proposing entity or the opportunity to comment expires. Due to submission dates that do not coincide with meeting dates of the county planning commission meetings, the commission may miss the opportunity to raise questions, comments or objections to the proposed plan. The comments are advisory in nature only. However, especially with large impact proposals, every effort should be made to review the future plans and consider the impacts on the county.

Existing conditions and circumstances that affect the county are discussed in chapters 2 through 9. Chapters 10 and 11 use the background information as a basis to continue through a progression of analyses of trends, assumptions, and alternatives culminating in goals and

strategies for the future.

Major elements discussed in this document include population, economic base, natural features, land use, community facilities and services, housing, recreation, and transportation. All elements are presented with the best pertinent information available. The review process addresses each chapter or element which includes a summary of the points having the greatest relevance to future county decision-making. Desired future conditions are addressed with goal statements and supporting strategies. Interestingly, the majority of desired future conditions remain on target for the county's future growth and development.

In summary, this master plan is intended for use as a guide by local officials when considering matters related to future development and land use. Planning is a process that requires ongoing review and analysis. As such, this master plan will remain a "work-in-progress" and will require timely and thoughtful revisions in order to be used effectively and properly.

1.2 Plan Elements

Important components to be used in a Master Plan are as follows:

1. Background information regarding historical, housing, population and other current conditions.
2. Development of goals and objectives that define how the county will address identified but continually changing concerns and trends.
3. Description of types of development and suitable locations that would be most appropriate.
4. Future Land Use Map used as an illustration of potential long-range land use patterns.

Together the above elements will serve as a guide for the county as it discusses and reviews how important decisions will be made now and in the future reference policy changes, budget allocations, special land use approvals, as well as rezoning requests and site plan reviews.

1.3 Planning Framework

Characteristics on which a Master Plan is based, each of which must be considered by the Menominee County Planning Commission and the County Board as the Master Plan is implemented and updated as needed, include the following major points:

1. Community (*County*) Character desired by the citizens determines the Plan's goals. A strong emphasis placed on maintaining natural character, for example, would be reflected in the Future Land Use goals and any subsequent design standards.
2. Capability of Land: Environmental constraints must also be considered.
 - A. Is the land able to accommodate the planned uses without a negative environmental impact?
 - B. If public utilities are not available, are the soils capable of accommodating the

- density of the planned development?
- C. What are the impacts to the extensive wetland systems?
- 3. Community Needs:
 - A. What types of land use are needed in the community?
- 4. Available Services: Through issue and goal identification, data collection and information obtained about the status of community services –
 - A. Are existing services capable of handling planned development?
 - B. What if any kind of strain would be placed on ability to provide fire protection or police protection?
 - C. What road improvements would be required?
- 5. Existing Development:
 - A. How will planned land uses affect existing uses?
 - B. How will planned uses affect nearby existing uses?
- 6. Regional Planning: Regional issues such as transportation, watershed management and environmental protection must be considered and take into account neighboring areas in the broad picture of any development. Sharing copies of the Plan and communicating with other local (township, county or regional) planners as well as other entities will facilitate regional planning and coordination efforts.

1.4 Implementation

To implement a Master Plan, the unit of government (*in this case the County*) should continually strive to ensure effective use of this document. Land Use and design decisions can be guided by the vision, goals and objectives set forth in this Plan. The Master Plan should be flexible and recommendations considered thoughtfully. Adjustments should only be made as necessary and justified based upon changing conditions or shifts in community philosophy.

Adopting or changing a Master Plan does not directly affect the zoning of any property. However, future changes to the zoning map are intended to be reflective of the planned uses shown by the Master Plan. Careful consideration based on certain criteria should always be considered whenever a change that is not consistent with the Plan is proposed.

If the Menominee County Planning Commission takes the following critical evaluation factors into account and does a regular review, or at the minimum, performs the required five-year review requirement, then future development decisions will reflect the desires of the citizens as reflected through the planning documents.

Future Land Use Evaluation Factors:

1. *Does the proposed new classification meet the qualifications noted in the appropriate section of the Master Plan?*
2. *Is the new use compatible with and appropriate in the vicinity under consideration?*
3. *Have any conditions changed in the area since the plan was adopted that justify this change?*
4. *Are there any community impacts that should be considered, such as increased traffic, or*

- other impacts that might create a need for additional services or improvements?*
5. *Are there any environmental considerations that may be contrary to the intent of the existing or proposed land use?*
 6. *Was the property properly classified when the Plan was adopted or amended? Are the qualities of the area different than those that are described in the Plan?*
 7. *Will there be any adverse effects on adjacent properties as a result of the proposed land use change?*
 8. *What impacts will result on the public health, safety and welfare of the area?*

1.5 Zoning

It is generally believed that the nation's first zoning ordinance was created in 1885. By the mid-1920s states began enacting legislation to permit zoning as a practical land use control tool. Since zoning regulates how land can be used, it is axiomatic that it will be controversial.

At the direction of the Menominee County Board of Commissioners, the county planning commission began developing a county zoning ordinance in 1979. It was the consensus among **unzoned** townships that zoning could be best handled at the county level. The ordinance **will apply** to all unzoned townships which **currently** include Menominee, Daggett, Faithorn, Gourley, Holmes, Meyer, Nadeau and Spalding. Formal adoption by the county board occurred on September 8, 1986. Petitioners requested that the issue be placed before voters of the townships. The ordinance was rejected in a referendum election held on May 19, 1987. Currently, ten (10) local governmental units administer their own zoning ordinances and ordinance development is under consideration in **other** unzoned areas. *The most local unit of government has jurisdiction in zoning matters.*

As the county population continues to disperse and development occurs in no particular pattern, community identities become less distinct. Furthermore, with no land use control over much of the county, inconsistency is virtually assured and the result is usually irreversible. Very often, the effect of dispersion means abandoning infrastructure in one area and building it in another. Low density residential development and scattered subdivisions represent a living style choice. It is reasonable to expect further suburbanization of the landscape with an even greater automobile dependence.

1.6 County Description

Menominee is the southernmost county in the Upper Peninsula of Michigan. It includes a land area of 1,044 square miles or about 668,000 acres. Much of its border is formed by water features: the Menominee River along the western side for some 75 miles, Green Bay (Lake Michigan) on the east for 43 miles. A majority of the **24,029 (2010 census)** residents live in the southern end of the county in or near the city of Menominee, the county seat. Nearly eighty percent of the county is forested with another ten percent in agricultural use. The economy is anchored by a large manufacturing base in the city of Menominee and agribusiness - most

notably dairying and forest products. It leads the Upper Peninsula in dairy production and agriculture overall. Two trunklines are major transportation routes that link Wisconsin to upper Michigan. Highway US-2, which extends for nearly the entire east-west length of the Upper Peninsula, passes through the northern part of the county and is intersected by US-41 at Powers. Highway 41 (more centrally located in the county) and M-35 along the lakeshore run north and south in the county.

1.7 Brief County History

Until a few European hunters and trappers established a permanent presence around 1800, indigenous people of the Menominee tribe inhabited the county exclusively. The name Menominee came from their own language, a distinct dialect of the Algonquin, and means “good seed” or “wild rice people.” Wild rice and fish were diet staples.

The present day county area was a part of Mackinaw (sic) County at the time of the first settlements. Later, a portion of Mackinaw from the Menominee River to Lake Michigan was established as Delta County. Subsequently, the county of Menominee was established in 1863, and until 1883 included parts of Dickinson and Iron counties.

The first sawmill was installed in 1836 marking the emergence of a large lumbering industry that remained strong throughout the century. Simultaneously, the fish-abundant waters of Lake Michigan brought about a thriving fishing industry.

Settlement away from the Menominee River mouth first occurred in the 1850s as some German families established farms near Birch Creek. Additional farming settlements were established mainly along streams where timber had been cleared. Central areas of the county with heavier, more productive soils were settled and cultivated subsequently. Ports created for lumbering and trapping enterprises were important facilities for emerging manufacturing and agricultural industries. The Chicago and Northwestern Railroad extended a line through the county to Escanaba in 1872 giving impetus to further development.