

Village of Calumet – RRC Certification Program Zoning Ordinance Annotated Summary

The following is an overview of the objectives and structure recommended for a new zoning ordinance.

General Objectives

- Restructure zoning ordinance into articles defined in the Technical Assistance Proposal
- Create a more user-friendly document
 - o Streamline language and remove redundancies
 - o Clarify contradictions
 - o Limit usage of legalese
 - o Present information in tabular and illustrative form
 - o Provide text links within the document for quick, easy navigation
- Align with the goals, objectives, future land use plan, and zoning plan approved in the Village of Calumet Master Plan (2018)
- Satisfy the criteria prescribed in the MEDC’s Redevelopment Ready Communities (RRC) Best Practices (Section 2: Zoning Regulations)

Article 1: Title and Purpose

- Establish the title and purpose of the zoning ordinance, authority granted to the municipality for zoning, rules for interpreting the text and relationship to the master plan and other planning documents

Article 2: General Provisions

- Those regulations applicable throughout the Village, regardless of district
 - o Fences, temporary buildings, yard projections, height exceptions, donation bins, refuse receptacles, lots adjoining alleys, etc.
 - Buffer zones (e.g. marijuana ordinances).
 - Marijuana not approved yet – dead in the water currently. May change after election.
- Very few exist in current Zoning Ordinance. Will provide recommended provisions in the draft.
 - o Any additional issues challenging the Village to be addressed?

Article 3: Zoning Map and Districts

- Zoning Map and rules governing the interpretation of the map
- Principal building types for each district (descriptions and image examples)
- Establish zoning districts as follows:
 - o VR: Village Residential District (formerly R-1)
 - Predominantly residential single family, duplex, and accessory dwelling units (ADU’s) allowed by right; institutional uses with appropriate standards to minimize impact to residential uses

- Uses requiring a special use permit to include triplex and quadplex residential dwellings, neighborhood-scale and context-appropriate commercial uses through the adaptive reuse of former public buildings.
 - **Allow commercial in residential. Corner lots, limit square footage.**
 - FR: Flexible Residential District (formerly portions or R-1)
 - Intended to allow a mix of housing options and densities while serving as a transition from the higher intensity Downtown Commercial and Corridor Commercial Districts, and the lower intensity Village Residential District
 - Single family, duplex, triplex, quadplex, and 5+ unit multiple family dwellings, ADU's
 - Institutional uses and neighborhood-scale commercial uses that would allow commercial above the first floor.
 - **Check out housing in PSP district.**
 - DC: Downtown Commercial (formerly C-2)
 - Intended to allow numerous commercial uses that are smaller scale, contribute to a pedestrian-oriented environment, and builds upon the historic character of downtown. Mixed use buildings and developments that incorporate residential dwellings will be allowed by right.
 - Will no longer include the portion of the Village east of Fourth Street
 - Design standards will be dictated by the Historic District Commission Guidelines.
 - **First floor residential: prohibit. Keep residential in upper floors.**
 - CC: Corridor Commercial (formerly C-1)
 - Larger footprint, higher intensity commercial uses allowed intended to serve the needs of the broader region.
 - Will be more accommodating to automobiles given the market area and location on M-203/Pine St. Examples include larger stores with bigger parking lots, drive-through service allowed through a special use permit, etc.
 - LIW: Light Industrial and Warehousing District (formerly I district)
 - Intended for light industrial uses such as assembly, research and development, storage, retail of products produced on site, etc. by right
 - More impactful use to require a special use permit, such as automobile repair and body shops, contractor storage yards, outside sales and displays, etc.
 - PSP: Public/Semi-Public District (formerly the eastern portion of C-2)
 - Uses will be predominately public in nature, such as parks, government offices, public housing, libraries, fire and police stations, schools, etc.
 - Would allow for non-profit uses specified in the district use table.
 - **Flexible, event spaces.**
 - Will occupy the area that now includes Agassiz Park, Calumet Colosseum, the school sports complex, and senior citizen housing complex.
 - **No more housing in this district.**
- Each district will include the following:
- Map illustrating the district boundaries
 - Intent and purpose with precedent images
 - Allowed uses (by right and through special use permit approval) in tabular form with associated parking standards

- Uses will all be defined and will be broader categories than currently presented.
- Table of dimensional standards and building form
 - Setbacks, lot coverage, widths, areas, etc.
 - Separated by principal and accessory structures
- Landscaping, fencing and screening requirements
- Off-street parking and loading standards
- Any district-specific design standards (e.g. downtown district)

Article 4: Overlay Districts

- Historic District Overlay
 - Establish boundaries on zoning map to bring awareness of additional standards and review procedures that must be met.
 - Obtaining a Certificate of Appropriateness will be a required step in any site plan review approval.
 - Historic District Guidelines will supersede zoning ordinance standards

Article 5: Site Development Standards

Additional details and requirements related to the development of a property, such as:

- Landscaping
- Off-street parking
- Exterior lighting
- Signs
- Stormwater management
 - Does the Village have a current stormwater management ordinance?
 - Need to find out where they outlet, manages system
 - North Houghton County Sewer Authority
- Nonmotorized transportation
- Heated sidewalks

Article 6: Supplemental Use Standards

- Uses, both by right and through special use permit approval that have specific standards and requirements associated with the use
- These use-specific standards are intended to minimize the impact of the use on surrounding properties and the Village at large.

Article 7: Site Plan Review

- General requirements and standards for approval
- Application requirements and review procedures
 - Will be presented in a table indicating whether the item is required in the drawings, described in a narrative, or both.
- Determinations, expiration and revocation, amendments and modifications, fees and performance guarantees
- The process for site plan review will serve as the foundation for all other reviews and referenced throughout the ordinance. This will provide a consistent, familiar procedure.

Article 8: Special Land Uses

- The standards and process required for special use permit approval.
- Based off site plan review with modifications as required
 - o Public hearing, Village Council approval for special land uses.

Article 9: Land Development Options

Additional land development options which may include:

- Planned unit development (PUD)
 - o Density Bonuses? – May not be necessary due to limited available land.
- Site condominium development – prefer to reference state Act
- Manufactured home developments – prefer to reference state Act
- Conditional rezoning – establish standards for approval, recommend adding to Article 13 where rezonings are covered (e.g. map amendments)

Article 10: Nonconformities

- Provide the general standards for nonconformities in general, and those specific to:
 - o Nonconforming uses – an existing use that is not allowed in the district
 - o Nonconforming sites – conforming uses that do not meet the site development standards (e.g. landscaping, exterior lighting, etc.)
 - o Nonconforming structures – structures that do not meet the required dimensional standards (setbacks, height, etc.)
 - o Nonconforming lots – existing lots of record that do not meet the minimum width or area requirements.
- Will provide what can and can be done in each nonconforming scenario, and the triggers that will require bringing the property into compliance when possible.

Article 11: Zoning Board of Appeals

Update to reflect requirements of the Michigan Zoning Enabling Act (PA 110 of 2006, as amended)

- Membership, organization, applications
 - o Separate ZBA or performed by Village Council – Village council act as ZBA.
- Determinations:
 - o Appeals of administrative decisions
 - o Interpretations of zoning district boundaries and ordinance provisions
 - o Variances
 - Non-use (dimensional) variances required
 - Recommend not including use variances
 - No use variances
 - o Hearings and decisions, limitations of authority

Article 12: Administration, Enforcement and Violations

- Zoning administrator's duties
- Fees and performance guarantees
- Public hearing procedures

- Land use permits, certificates of occupancy
 - o Does the Village administer the construction code and permits, or Houghton County?
 - Houghton County issues building permits.
- Violations and penalties

Article 13: Amendments and Severability

- Procedures and standards related to text and map amendments
 - o Conditional rezoning
- Legal clause regarding severability

Article 14: Definitions

- Review all existing definitions
- Revise and add new definitions as necessary. Recommend all allowed uses be clearly defined.
- Add supportive images where appropriate

RRC Best Practices – Zoning Regulations

The following standards are requirements of the RRC program that relate to the Village’s zoning ordinance. Items listed under “Ordinance” are already included in the zoning ordinance. Items listed under “BRI” are staff recommendations to include in order to satisfy the standard. The table will be updated under “Support” to indicate the items the community supports and will guide the zoning ordinance revision process.

Criteria 2.1.1: The governing body has adopted a zoning ordinance that aligns with the goals of the master plan.			
The community has evaluated the master plan’s recommendations to determine changes to the zoning ordinance.			
NOTES: Recommendations mentioned above include those listed in the goals and objectives of the master plan that are applicable to the Zoning Ordinance.			

Criteria 2.1.2: The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development.			
The ordinance requires one or more of the following elements in areas of concentrated development:	Ordinance	BRI	Support
- Build-to-lines		X	X
- Open store fronts		X	X
- Outdoor dining		X	X
- Meet minimum ground floor transparency		X	X
- Streetscape elements (trees, seating, pedestrian-scale lighting and signage)	X	X	X
- Front facing doorways		X	X
- Parking located in the rear/side of buildings		X	X
- Parking decks, street parking, surface lots		X	X

The ordinance allows mixed-use buildings by right in designated areas of concentrated development.		X	X
The ordinance addresses historic preservation		X	X
NOTES: The Historic District Guidelines will address many of these site standards. To prevent inconsistency, recommend creating a Historic District Overlay on the zoning map and pointing to the additional standards in the Overlay Districts article. Will also need to include Historic District Commission review and approval as part of the site plan and/or land use permit approval process.			

Criteria 2.1.3: The zoning ordinance includes flexible tools to encourage development and redevelopment.			
The zoning ordinance includes at least two of the following flexible tools:	Ordinance	BRI	Support
- Density bonuses		X	
- Non-conforming regulations	X	X	X
- Conditional rezoning		X	X
- Overlay zones		X	X
- Form-based code			
- Compatible new-economy businesses in commercial and industrial districts		X	X
NOTES: Density bonuses would be allowed through a PUD as an incentive to provide affordable housing units in the development. Form-based code focuses less on uses, and more on quality design. Components of this method can be incorporated to ensure the desired development pattern and maximum flexibility. As mentioned, a Historic District Overlay will be created. Conditional zoning should be added as an option under the Amendments article do define the standards for approval (state statute is thin on this topic). Uses in the Industrial district will be reviewed and modified to include new economy uses.			

Criteria 2.1.4: The zoning ordinance allows for a variety of housing options.			
The ordinance allows three or more of the following housing types by right:	Ordinance	BRI	Support
- Accessory dwelling units		X	X
- Townhouses/Rowhouses		X	X
- Stacked Flats		X	
- Residential units above non-residential uses		X	X
- Live/work units		X	X
- Co-housing			
- Cluster housing		X	
- Micro units		X	X
NOTES: Propose allowing a number of flexible housing options throughout the Village as indicated above. The FR: Flexible Residential district would focus on maintaining the character of the existing residential district while allowing greater flexibility in density and building type. Live/Work and Residential above non-residential units could be included in the LIW and Commercial districts.			

Criteria 2.1.5: The zoning ordinance includes standards to improve non-motorized transportation.

The ordinance includes standards for the following elements where appropriate:	Ordinance	BRI	Support
- Bicycle parking		X	X
- Traffic calming			
- Sidewalk connectivity		X	X
- Pedestrian-scale lighting		X	X
- Public realm standards	X	X	X
- Block size			

NOTES: Some of the public realm standards are addressed by the Historic District Guidelines.

Criteria 2.1.6: The zoning ordinance includes flexible parking standards.

The ordinance includes regulations for two or more of the following:	Ordinance	BRI	Support
- Reduction or elimination of required parking when on-street and public parking is available	X	X	N/A
- Connections between parking lots		X	
- Shared parking agreements	X	X	X
- Parking maximums		X	
- Elimination of parking minimums		X	X
- Parking waivers			
- Electric vehicle charging stations			
- Bicycle parking		X	X
- Payment in lieu of parking			
- Reduction of required parking for complementary mixed-uses		X	

NOTES: The first recommendation is to eliminate parking minimums, which would make many of these options irrelevant. Parking maximums are recommended as a way to ensure more economically productive land uses. Shared parking between compatible uses is allowed but should be elaborated upon in greater detail.

Criteria 2.1.7: The zoning ordinance includes standards for environmental preservation and green infrastructure.

The ordinance includes regulations for three or more of the following:	Ordinance	BRI	Support
- Low impact development (LID) techniques (rain gardens, bioswales, etc.)		X	X
- Rain water collection (blue roofs, cisterns, water harvesting, stormwater vaults, etc.)			
- Green roofs			
- Pervious pavement		X	
- Steep slope protections			

- Street tree planting standards		X	X
- Tree preservation or replacement standards		X	X
- Parking lot landscaping standards		X	X
- Required native or low-maintenance plantings			X
- Renewable energy		X	X
- Buffering standards around water bodies or other natural resources			
- Off-site stormwater regulations allowing site developers to participate in district-scale stormwater management plan		X	TBD

NOTES: Does the Village have a stormwater management ordinance or an existing stormwater sewer system? It appears the Village is largely devoid of street trees. Inclusion of street trees would provide numerous benefits; however, concerns exist over whether the Historic District Guidelines would allow for the placement. Furthermore, narrow ROW's may limit opportunities.

Criteria 2.1.8: The zoning ordinance is user-friendly.
The ordinance portrays clear definitions and requirements using graphics, tables or charts as appropriate.
The ordinance is available in an electronic format at no cost and hard copies are available for review at convenient locations.
The ordinance is accessible online.
<p>NOTES: All definitions will be reviewed</p> <ul style="list-style-type: none"> - Outdated or irrelevant definitions will be removed - Any redundancies or contradictions will be corrected - New definitions will be added as needed and to provide clarity - Broader land use definitions will be incorporated to be more encompassing and flexible - Images will be created as necessary to better inform the meaning of applicable definitions - Internal links within the document will provide easy navigation. - A pdf format of the ordinance will be available for distribution and to be posted on the Village's website.