



# CITY OF HOUGHTON, MICHIGAN GUIDE TO DEVELOPMENT

This guide is a comprehensive document intended to address all types of development, from building an addition to a single-family home to large-scale commercial development.

**2020**

# Table of Contents

Introduction to the Guide to Development.....	3
Section 1: Zoning Permit.....	4
Section 2: Site Plan Review .....	5
Section 3: Special Land Use Permits.....	7
Section 4: Zoning Variances .....	9
Section 5: Rezoning or Conditional Rezoning.....	11
Section 6: Other Permits Required .....	13
Building, Mechanical, Electrical, and Plumbing Permits and Fees.....	13
Right-of-Way Permits.....	13
Sign Permits .....	13
Residential Rental Registrations.....	13
Section 7: Fees, Appeals, and Notification Procedures .....	14
Fees.....	14
Appeals.....	14
Notification Procedures.....	14
Community Engagement .....	14
Section 8: General Information .....	15
Key Staff.....	15
Outside Agencies .....	15
City Boards and Commissions .....	16
Planning and Zoning .....	16
Master Plan.....	16
Zoning Ordinance/Map .....	16
Section 9: Development and Financial Assistance Tools.....	17
Business Development and Funding Incentives .....	17
City Financing Districts .....	17



City Center  
616 Sheldon Ave. (physical)  
P.O. Box 606 (mailing)  
Houghton, MI 49931-0606

**Phone:** (906) 482-1700

**Hours:** M-F 8am to 5pm

[www.cityofhoughton.com](http://www.cityofhoughton.com)

*This guide was prepared by the Western Upper Peninsula Planning & Development Region Commission (WUPPDR) with support from city staff and financial support from the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities (RRC) Program.*

## Introduction to the Guide to Development

The City of Houghton takes a variety of approaches to streamline new development, redevelopment, and renovation of properties in the city. This is accomplished through intentional city planning, ordinances that are easy to understand and comply with, speedy administrative processes, and clear communication with the property owners and developers.

This Guide to Development outlines the external steps that are required to accommodate the city's internal processes. By following this guide, property owners and developers can work as closely as possible in synergy with city staff and decisionmakers to ensure all parties are coordinated in order to minimize delays. Contact information, website links, and related documents will be indicated throughout the document for further information.

This guide is not intended as a replacement for city, county, state, or federal laws. In the event of any conflicts between this guide and applicable laws, this guide shall be superseded by those laws. Consultation with staff and/or outside professionals is recommended for most projects. Developers and businesses should contact the appropriate staff with additional questions.

### **This guide is organized into the following sections:**

1. Zoning Permits
2. Site Plan Review
3. Special Land Use Permits
4. Zoning Variances
5. Rezoning or Conditional Rezoning
6. Other Permits Required
7. Fees, Appeals, and Notifications
8. General Information
9. Development and Financial Assistance Tools

# Section 1: Zoning Permit

The first step toward any type of development in the City starts with a Zoning Permit Application. The application **must be completed and returned** to the Code Enforcement Officer for review.

For a simple project not requiring a site plan review, and if the proposed project meets all requirements in the zoning ordinance, the Zoning Administrator will approve the Zoning Permit and provide a copy to the applicant. The applicant may proceed to obtain a building permit from the Houghton County Building Department.

For a more complex project that requires site plan review, or if the proposed project does not meet all requirements of the zoning ordinance, the Code Enforcement Officer will notify the applicant of the next steps of the process.

Below is a list of Approval Authorities for the permitting process:

	<b><i>Approval Authorities</i></b>			
	Zoning Administrator	Planning Commission	City Council	Zoning Board of Appeals
Zoning Permit	Approves			
Site Plan		Approves		
Special Land Use		Recommends	Approves	
Zoning Appeal/Variance				Approves
Zoning Amendment		Recommends	Approves	

## Section 2: Site Plan Review

### Zoning Ordinance: Site Plan Review

Site plan review provides the City with an opportunity to review the proposed use of a site in relation to all applicable provisions of the Zoning Ordinance and City planning. Site plan review also provides the City with an opportunity to review the relationship of the plan to surrounding uses, accessibility, on and off-site pedestrian and vehicular circulation, off-street parking, public utilities, drainage, natural features, screening, and other relevant factors which may have an impact on the public health, safety, and general welfare.

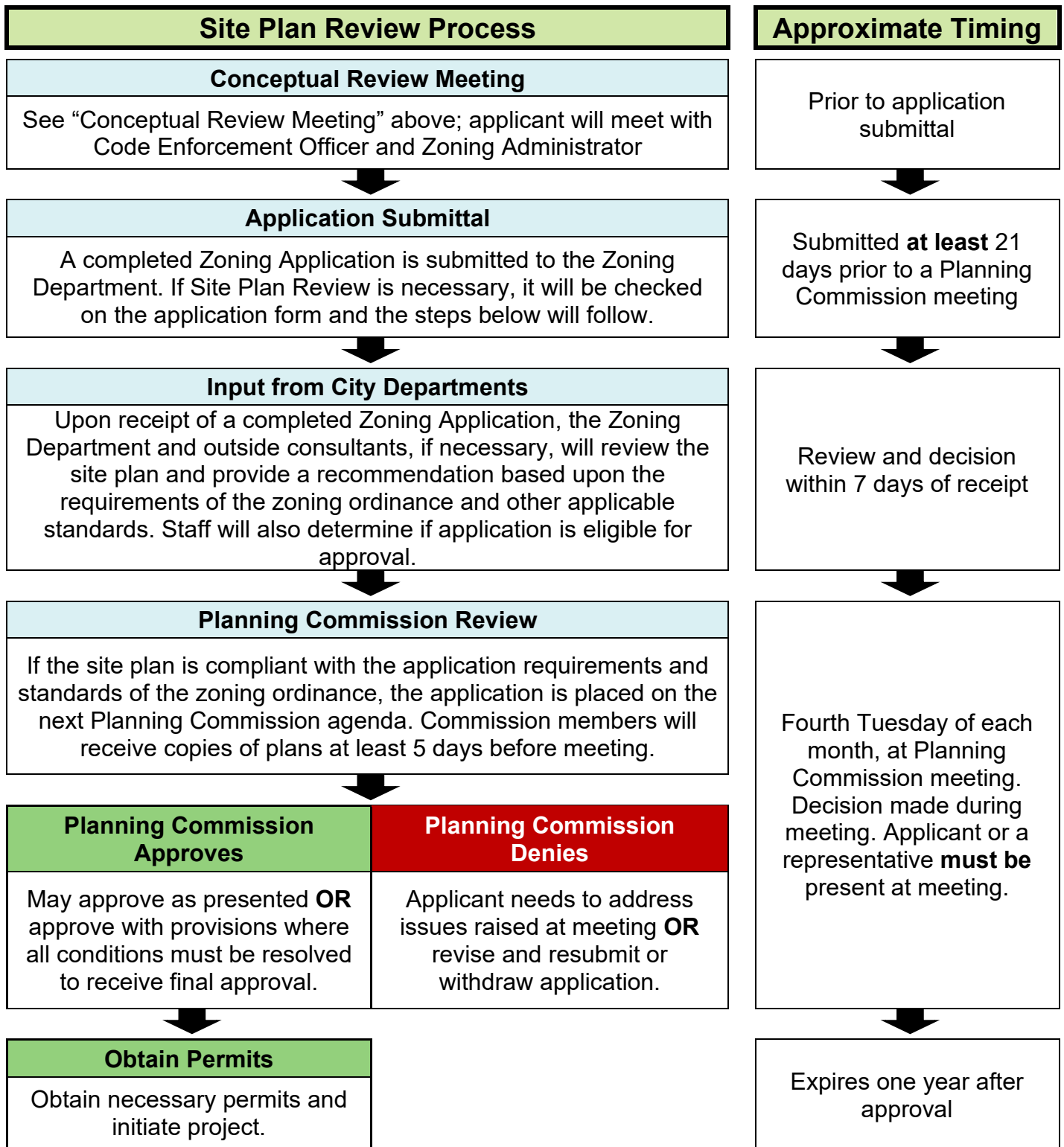
A site plan review is required for any of the following developments and activities:

1. Apartment building containing 2 or more dwelling units
2. 2 or more multiple-family buildings on a lot, parcel, or tract of land, or on a combination of lots under single ownership
3. Mobile home park
4. Subdivision including 4 or more dwelling units
5. Commercial, office, industrial, business, recreational, or institutional structures/uses that include any changes in exterior material, landscaping, parking, and new additions to buildings
6. All other uses for which site plan review and approval is required by the Zoning Ordinance
7. Earthwork greater than 40,000 square feet

Conceptual Review Meeting: Prior to submission of an application, applicants should request a conceptual review meeting with the Zoning Department. This pre-application meeting includes preliminary review of a site plan and explanation of zoning requirements, and it addresses circumstances that would otherwise result in an application being postponed or not accepted. To set up a meeting with the Zoning Department, please call (906) 482-1700 and ask for the Code Enforcement Officer. Applicants should bring a completed Site Plan Review Application and preliminary plans to the meeting, which includes the following:

- Location of project
- Clear vision for the project
  - What is the goal of the project?
  - How will the project be completed?
- Sketch of the property where the project is located showing:
  - Accurate lot dimensions, including lot width, length, and area calculations of the subject property.
  - Parking areas accurately depicting location, size, and number (if applicable).
  - Location and dimensions of all structures, including height and setbacks from other structures and property lines

Time Limit of Approval and Work Completion: Site plan approval is valid for twelve (12) months from the date of approval. Any request for an extension shall be made in writing to the Planning Commission. If approval is not extended before expiration of the twelve-month period, a new application and new approval is required before a building permit is issued.



## Section 3: Special Land Use Permits

### Special Land Use Permit Application

#### Zoning Ordinance: Section 98-630, Special Land Use Permits

A special land use is one that is not permitted by right within a particular zoning district but may be allowable under certain conditions. The City of Houghton has 13 distinct zoning districts, 7 of which allow for various special land uses. Uses requiring a permit are listed in the zoning districts (Chapter 98, Article 2). In order to be permitted, a special land use may not adversely affect public health, safety, and/or general welfare. No special land use is permitted without a special land use permit issued in accordance with the zoning district.

Upon receiving an application from the City Clerk, the Planning Commission will hold at least one noticed public hearing to accept public comment. Public notice of the hearing is posted on the city's website, at City Council Chambers, and distributed to neighbors within 300 feet of location under review. All applications for special land use permits (and associated site plans) are reviewed and approved by the Planning Commission; after approval by the Planning Commission, the application is sent to City Council for review and final approval.

## Special Land Use Permitting Process

**Conceptual Review Meeting**

Applicant meets with Code Enforcement Officer and Zoning Administrator



**Application Submittal**

Submit Special Land Use Permit Application to the City Clerk. The information required for the special land use permit is listed on the application. Clerk will ensure that application is complete and has necessary supporting material. It then is given to the Planning Commission.



**Input and Review by Planning Commission**

The Planning Commission will hold a public hearing, providing notice to those near the property. After the hearing, the commission, and other city staff consultants if necessary, will review the use permit and provide a recommendation based upon the requirements of the zoning ordinance and other applicable standards.



**Planning Commission Recommends**

Planning Commission submits a statement of findings and conclusions to the City Council, which will meet to consider.

**Planning Commission Doesn't Recommend**

Revise and resubmit or withdraw application **OR** appeal to City Council.



**City Council Approves**

Follow steps for permitted use within applicable zoning district.

**City Council Denies**

Revise and resubmit **OR** withdraw application.

## Approximate Timing

Prior to application submittal



Submitted **at least 21** days prior to a Planning Commission meeting



Planning Commission meeting: Fourth Tuesday of each month



City Council meeting: Second and fourth Wednesday of each month



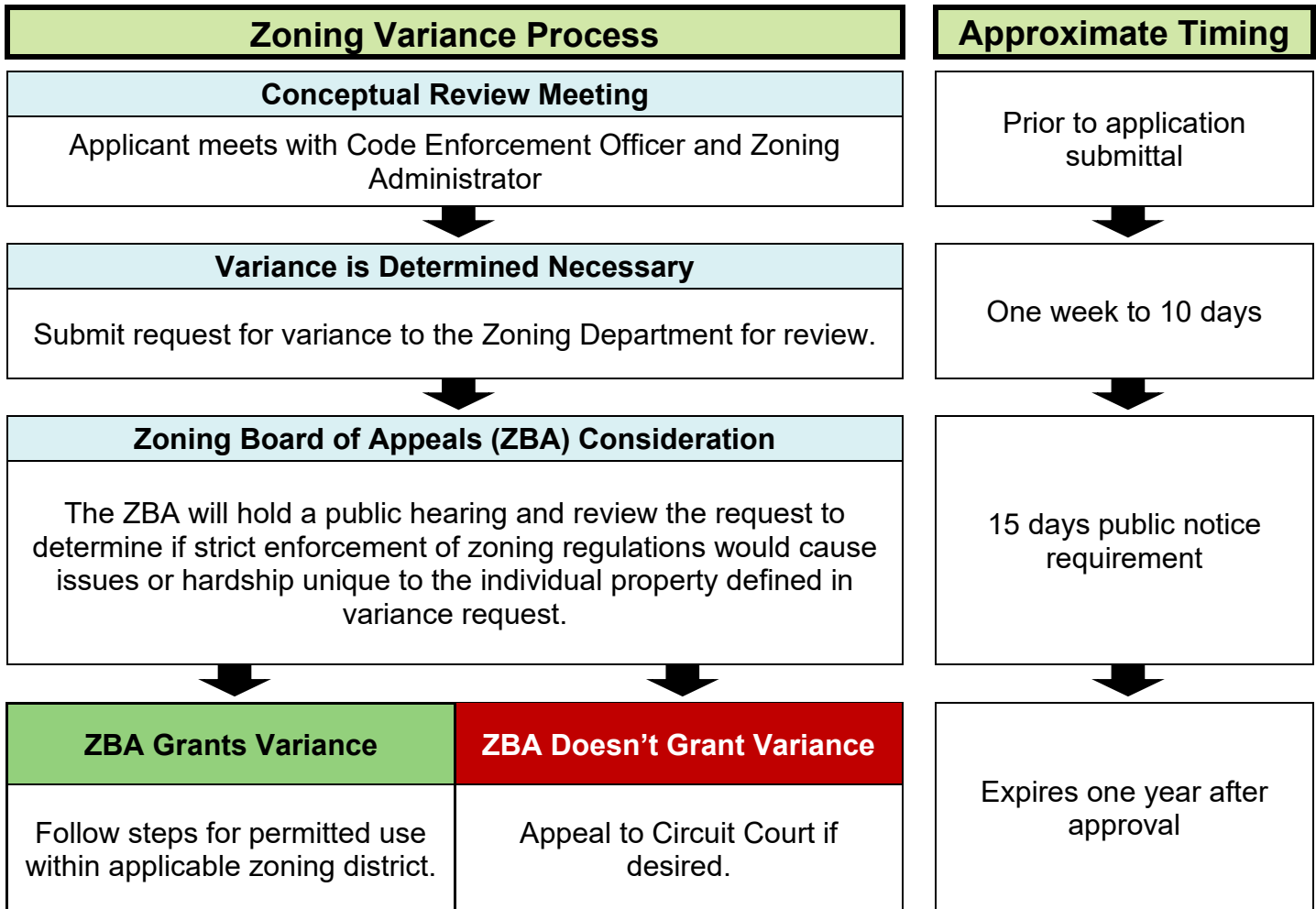
Expires one year after approval (only one extension granted if requested prior to expiration)



## Section 4: Zoning Variances

Zoning Ordinance: Section 98-740, Zoning exceptions and variances

Under certain circumstances, physical characteristics of an individual parcel, such as shape and terrain, may significantly impede beneficial use by reducing the size of, or buildable area within the allowable building footprint (between required setbacks and yards) of the zoning district. When such characteristics exist beyond the control of a property owner, a variance to these “dimensional” requirements may be requested by the owner and considered by the Zoning Board of Appeals (ZBA). The ZBA may only grant dimensional variances – not variances from the allowable *uses* of the zoning district.



## Section 5: Rezoning or Conditional Rezoning

### Zoning Ordinance: Section 98-770, Zoning Amendments

Zoning divides land into categories according to their use and sets regulations for these categories. When a property owner wants to use land in a way that is not permitted by right or as a special land use based on its zoning, the owner may request to rezone the property to a classification which permits the desired use. Rezoning will be considered where it seems logical, benefits residents and property owners, and/or serves the greater good of the community. It is *not* appropriate when the purpose would be to allow a currently unpermitted land use on an isolated parcel or group of parcels in a manner inconsistent with the surrounding area. This practice is referred to as “spot zoning.”

*Conditional rezoning* is a process commonly used in the city by which property owners offer voluntary conditions with a request for rezoning. Any such conditions agreed to by the City Council for a conditional rezoning will then “run with the land” and be binding on subsequent property owners (unless and until a later rezoning changes the zoning district or conditions).

Any rezoning requires action by both the Planning Commission and City Council. The Planning Commission shall hold a public hearing, and City Council may choose to hold a public hearing.

**Rezoning or Conditional Rezoning Process**

**Approximate Timing**

**Conceptual Review Meeting**  
 Applicant meets with Code Enforcement Officer and Zoning Administrator

Prior to application submittal

**Petition for Amendment/Rezoning Submittal & Internal Review**  
 Submit rezoning petition to the Zoning Department, where it will be reviewed internally.

Submitted **at least 21** days prior to a Planning Commission meeting

**Planning Commission Review**  
 The Planning Commission will hold a public hearing, providing notice to those near the property; will review the petition, taking into consideration Administrative Standards within the Zoning Ordinance; and will determine by majority vote whether to recommend approval of the amendment to the City Council.

Fourth Tuesday of each month, at Planning Commission meeting

<b>Planning Commission Recommends</b>	<b>Planning Commission Doesn't Recommend</b>
The City Council may choose to hold a public hearing and will meet to review the application.	Applicant needs to address issues raised at meeting (postponed/tabled) <b>OR</b> revise and resubmit or withdraw application

Second and fourth Wednesday of each month (City Council meetings)

<b>City Council Approves</b>	<b>City Council Denies</b>
Follow steps for permitted use within applicable zoning district.	Appeal to Circuit Court if desired

Development should begin within 18 months after approval (extension requests allowed)

## **Section 6: Other Permits Required**

### **Building, Mechanical, Electrical, and Plumbing Permits and Fees**

#### [Houghton County Building Department](#)

All building, mechanical, electrical, and plumbing permits are issued by and available at the Houghton County Building Department and online. A zoning permit is required before a building permit can be applied for. A permit application must be filed with Houghton County before any construction begins. The building permit fee schedule is on the County's website ([houghtoncounty.net](http://houghtoncounty.net))

### **Right-of-Way Permits**

#### [Right-of-Way Permit Application](#)

A City of Houghton permit is required to construct, operate, maintain use, and/or remove a structure within a city street right-of-way. The need for a right-of-way permit is determined upon review of a zoning permit and/or during a conceptual review meeting for a site plan.

### **Sign Permits**

#### [Sign Permit Application; Zoning Ordinance: Article 5, Signs](#)

Prior to any sign installation, a sign permit must be issued. The Zoning Administrator may administratively approve a sign permit. Any necessary building or electrical permits for a sign may be obtained through the Houghton County Building Department.

### **Residential Rental Registrations**

#### [Rental Housing and Inspection](#)

Residential rental properties are licensed by the City of Houghton. These properties are required to be registered with the city, submit to an annual inspection, and pay an annual license fee. Inspections of rental properties are conducted by the Code Enforcement Officer.

# Section 7: Fees, Appeals, and Notification Procedures

## Fees

There are no fees required for any of the required permits in the development process except for water and sewer hook-up fees required for any new construction that needs a connection to the service. These fees can be found in [Appendix A – Fee Schedule of the Code of Ordinances](#).

## Appeals

Applicants choosing to appeal a determination of the Zoning Administrator or Planning Commission must first appeal to the City Council or Zoning Board of Appeals. Determinations of the City Council or Zoning Board of Appeals may be appealed directly to Houghton County Circuit Court

## Notification Procedures

The City of Houghton meets or exceeds the notification requirements of the Michigan Zoning Enabling Act (Michigan P.A. 110 of 2008, as amended).

The City of Houghton publishes notices in the Daily Mining Gazette ([www.mininggazette.com](http://www.mininggazette.com)) and mails notices to all owners and occupants of property located within 300 feet of the subject parcel(s). Notices are also posted on the City website, on the Public Meeting Notices and Agenda page ([www.cityofhoughton.com/info-hearings.php](http://www.cityofhoughton.com/info-hearings.php)). Notices are sent at least fifteen (15) days prior to hearing.

## Community Engagement

The City of Houghton strives to include, consult, and inform residents when appropriate for community initiatives and large projects. Developers are encouraged to do the same. More information regarding community engagement is available in the city's [Public Participation Plan](#).

## Section 8: General Information

This section contains information that property owners and developers need for any type of development review: staff contact information, meeting schedules, pre-application procedures, and planning and zoning information. While this document provides detailed information on the process for development procedures, the best route for questions is to contact city staff at (906) 482-1700 directly for any questions prior to filling a petition or application.

### Key Staff

#### City Manager's Office

Eric Waara, City Manager	<a href="mailto:citymanager@cityofhoughton.com">citymanager@cityofhoughton.com</a>	(906) 482-1700
Ann Vollrath, Assistant City Manager/Clerk	<a href="mailto:ann@cityofhoughton.com">ann@cityofhoughton.com</a>	(906) 482-1700

#### Zoning Department

Jeff Jepsen, Code Enforcement Officer	<a href="mailto:jeffj@cityofhoughton.com">jeffj@cityofhoughton.com</a>	(906) 482-1700
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#### Public Works

Ryan Awendt, Director	<a href="mailto:ryan.awendt@cityofhoughton.com">ryan.awendt@cityofhoughton.com</a>	(906) 482-1119
Cleo Ruonavaara, Water Department	<a href="mailto:cleo@cityofhoughton.com">cleo@cityofhoughton.com</a>	(906) 483-4643

#### Taxes/Assessing

Scott MacInnes, Assessor	<a href="mailto:scott@cityofhoughton.com">scott@cityofhoughton.com</a>	(906) 482-1700
Jodi Reynolds, Treasurer/Transit Director	<a href="mailto:jodi@cityofhoughton.com">jodi@cityofhoughton.com</a>	(906) 482-1700

#### Houghton County Building Department\*

Building Department	<a href="mailto:building@houghtoncounty.net">building@houghtoncounty.net</a>	(906) 482-7238
Todd LaRoux, Building Inspector	<a href="mailto:inspector@houghtoncounty.net">inspector@houghtoncounty.net</a>	(906) 482-2260

\*The County Building Department is located at 401 E. Houghton Avenue, Courthouse 5<sup>th</sup> Floor.

### Outside Agencies

Additional agencies may hold jurisdiction on some development issues within the city depending on the project. The following list includes commonly involved outside agencies.

#### Houghton County Road Commission

<a href="http://www.houghtoncountyroads.org">www.houghtoncountyroads.org</a>	(906) 482-3600
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#### MISSDIG

<a href="http://www.missdig.org">www.missdig.org</a>	811
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#### SEMCO Energy

<a href="http://www.semcoenergygas.com">www.semcoenergygas.com</a>	1-800-624-2019
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#### Upper Peninsula Power Company

<a href="http://www.uppco.com">www.uppco.com</a>	1-800-562-7680
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## City Boards and Commissions

[Click here for more information about the City's boards and commissions.](#)

Most development applications are considered by the Planning Commission. Other boards and commissions may become involved with your application if appeals, variances, rezoning, or text amendments are required. Staff can direct you to the appropriate boards for your specific case. All boards and commissions meet at City Center in downtown Houghton.

### City Council

Meets 2nd and 4th Wednesdays, 5:30pm

### Planning Commission

Meets 4th Tuesday, 5:30pm

### Zoning Board of Appeals

Meets as needed

### Downtown Development Authority and Tax Increment Finance Authority

Meets twice a year (special meetings called when necessary), 12:00pm

## Planning and Zoning

Prior to purchasing, developing, or altering property, it is important that all city zoning codes and plans are referenced. It is also important to verify the zoning of the property. Planning is closely related to the Zoning Ordinance, which regulates the use and development of land within the city. Zoning controls the intensity and type of development allowed in specific areas of the city.

### Master Plan

[Current \(2014-18\) and Draft \(2019\) Master Plans](#)

The Master Plan serves as the foundation for what the people of a community envision for their collective future. It establishes a framework for zoning and other public policies affecting the community. The current Master Plan was adopted in 2013; as of September 2019, an update by the Planning Commission is underway.

### Zoning Ordinance/Map

[Zoning Ordinance](#); [Zoning Map](#)

The Zoning Ordinance establishes standards that apply both citywide and in particular zoning districts. **The Zoning Ordinance is the most critical factor in determining whether to undertake a development based on its location and use.** You should review the ordinance and consult with city staff before initiating any change of use or construction project within the city. City staff can help determine what your property is zoned and what zoning requirements you may need to meet. Make sure to ask if a particular zoning district allows for the proposed use.



## Section 9: Development and Financial Assistance Tools

An overview of development and financial assistance tools used by the City of Houghton is provided within this section. The intent of this section is to provide information to a potential investor to assist in making an initial decision to proceed with an investment. This list is intended to provide an example of some of the available tools and is not a complete list.

### Business Development and Funding Incentives

Keweenaw Economic Development Alliance (KEDA): KEDA works directly with current and prospective businesses in the Houghton area (and the Keweenaw overall) with planning, securing financing, and accessing other resources such as the Small Business Development Center (SBDC). KEDA also works with communities to fulfill various business development program requirements.

Western Upper Peninsula Planning and Development Region (WUPPDR): WUPPDR helps to facilitate access to community development funding sources such as the United States Economic Development Administration (EDA) and various state agencies. WUPPDR also serves as a central point of contact for data and resources throughout the Western Upper Peninsula.

Michigan Economic Development Corporation (MEDC): MEDC offers many funding incentives geared toward gap financing for community and business development infrastructure and acquisition projects. In most cases business development funding is contingent on job creation. The Houghton City Manager, KEDA, and WUPPDR can all assist businesses in determining whether MEDC may be able to meet their needs, and if so, can connect businesses with the appropriate agency staff.

### City Financing Districts

Three financing districts have been established to promote and finance particular types of commercial development in the city.

City of Houghton Downtown Development Authority (DDA): The DDA was created to assist with development in Downtown Houghton. The Downtown boundaries are from Montezuma Avenue to Portage Lake and Franklin Square to the Kestner Waterfront Park.

City of Houghton Tax Increment Finance Authority (TIFA): The TIFA was created to assist with development of the M-26/Sharon Avenue Business Corridor. It includes the business districts along M-26 and Sharon Avenue.

Local Development Finance Authority (LDFA): The LDFA was created as part of the SmartZone designation authorized for the Cities of Houghton and Hancock. SmartZones were created to spur development of technology-based businesses in communities with technology-based universities. The LDFA is another tax increment finance authority, comprised of the two cities.

The City Manager can assist with determining whether any of these districts may be relevant to a proposed project.