

Chapter Three FUTURE LAND USE STRATEGY

Introduction

Lake Township's principal planning components are contained in the Future Land Use Strategy, as discussed in this Chapter Three, and the Coordinated Public Services presented in Chapter Four. The Future Land Use Strategy identifies the desired pattern of land use, development, and preservation. Chapter Four presents guidelines regarding public services to help ensure that public services are coordinated with the planned land use pattern and the achievement of the Plan's goals and objectives.

Implementation of the policies of this Chapter and Plan rests with regulatory and non-regulatory tools – most importantly, the Lake Township Zoning Ordinance. The Zoning Ordinance generally regulates the type, location, bulk, and intensity of land development. ***The Future Land Use Strategy establishes policy for future land use – it does not change the manner in which property is zoned under the Zoning Ordinance.*** However, the Future Land Use Strategy does serve as a basis for evaluating future rezoning requests, site plan submittals, and other land use decisions.

The Township may also utilize supporting regulatory and non-regulatory tools, in addition to zoning regulations, to further the implementation of the policies of this Plan. Chapter Five discusses implementation strategies in more detail.

The foundation on which the Future Land Use Strategy is rooted is the goals and objectives in Chapter Two including:

- ***encourage the preservation of farmland, natural resources, and rural character***
- ***guide future development in a manner that ensures land use patterns compatible with public facilities and services***
- ***encourage compact growth and development areas***
- ***encourage the cost-effective use of tax dollars***

The Future Land Use Strategy is based on an analysis of the Township's natural and cultural features such as local views, existing land use, road network, existing and nearby public infrastructure, and environmental features including wetlands. Also considered were conditions in neighboring municipalities. The opportunities and constraints presented by these conditions were evaluated in the context of the goals and objectives in Chapter Two to arrive at a planned land use strategy.

Planning Areas

The Future Land Use Strategy divides the Township into planning areas and identifies the predominant land use pattern planned for each. These areas collectively formulate the planned land use pattern. These planning areas are as follows:

- Resource Conservation Area
- Agricultural / Rural Residential Area
- Suburban Residential Area
- Commercial and Industrial Areas
 - Oak Beach Commercial Area
 - State Park Commercial / Industrial Area

It is not the intent of this Plan to identify the specific land uses that should be permitted in each of these planning areas. This Plan presents broad-based policies regarding the dominant land use(s) to be in each. Specific permitted land uses will be determined by the zoning provisions of the Township based on considerations of compatibility.

There may be certain existing properties that do not "fit" with the planned future land use pattern. This should not be necessarily interpreted as a lack of Township support for the continuation of the existing use of such properties. Zoning regulations will clarify this matter.

Boundaries: The approximate boundaries of the planning areas are illustrated on the Future Land Use Map at the end of this chapter. The boundaries are described as approximate. There is frequently room for discretion at the exact interface between the boundaries of two planning areas and appropriate uses at these points of interface. However, the approximate boundaries presented in this Plan have been considered carefully. The described and illustrated boundaries of the planning areas are purposeful. These areas are not intended to incrementally evolve into extended strip corridors or other expanded development zones contrary to this theme. Significant departures are strongly discouraged except in unique circumstances and only when the public health, safety and welfare will not be undermined.

It is important to recognize that neither the Future Land Use Map nor the explanatory policies of this chapter are intended to stand on its own. Both the policy discussions and map are inseparable and must be viewed together.

Context-Sensitive Site Development: Irrespective of the particular planning area, all nonresidential development should be of such character and design so as to encourage compatibility with adjacent and nearby land uses and the desired predominant rural character of the Township. Such compatibility should be based on, in part, overall site layout; building height, size, bulk and architectural character; setbacks; landscaping and screening; and signage. Special care must be exercised during all phases of the review and approval of specific development proposals to ensure that proposed uses, buildings and other site modifications, and their interface with surrounding properties, enhances their compatibility.

The establishment of private “community sewer systems” serving new neighborhoods is not a valid basis for development densities contrary to the policies presented in this chapter.

Site development should incorporate the inclusion of non-motorized travel and measures to enhance the safety and comfort of non-motorized travel along road corridors and elsewhere.

Resource Conservation Area

The Resource Conservation Area includes those portions of the Township comprised of the Sleeper State Park, the Rush Lake State Game Area, the several public park facilities along M-25, and river and stream corridors. These resources include substantial wetland and woodland environments. These resources provide important environmental benefits including habitats for wildlife, flood control, groundwater recharge and discharge, and surface water purification. In addition, they provide special opportunities for public recreation and contribute to the township’s overall rural character and desirability as a place of residence. The Resource Conservation Area is intended to encourage the preservation of important natural resource areas.

In light of the critical role of these natural resource areas, uses within the Resource Conservation Area should be predominantly limited to open-space and natural resource-based conservation endeavors including opportunities for passive recreation. Residential development is discouraged to minimize encroachment into and the disturbance of these important resource areas.

Key policies of the Resource Conservation Area are:

1. The primary use of land should be resource conservation and other open space areas including campgrounds, game refuges and hunting facilities, and public access sites to Lake Huron.
2. Where only a portion of a parcel is located in the Resource Conservation Area, development on the site should be guided to those portions outside of the Resource Conservation Area
3. The alteration of wetlands and shoreline environments to accommodate site modifications and construction in the Resource Conservation area should occur only where no other practical alternatives are available and only after the issuance of all necessary local, county and state approvals including as may be required by the Michigan Department of Environment, Great Lakes and Energy.

Agricultural / Rural Residential Area

Farming plays an important role in the history and character of Lake Township, contributes important food and fiber to local and regional populations, encourages economic stability, and is an important source of income.

The Agricultural/Rural Residential Area covers the largest portion of the township and nearly all areas not otherwise part of the Resource Conservation Area or the Suburban Residential Area (which generally follows the M-25 corridor and is described on the next page). The Area is principally comprised of commercial farming operations on parcels typically of 40 acres or more, along with scattered residential properties typically ranging from about two to 10 acres in area, and open space areas including meadows, woodlands, and certain wetlands not otherwise part of the Resource Conservation Area. The intent of the Agricultural/Rural Residential Area is to provide opportunities for farming and encourage the preservation of farmland resources while also providing opportunities for rural residential home sites. Agriculture and single-family residences are intended to be the primary use of the land in this Area.

Lands in the Agricultural/Rural Residential Area are generally characterized by conditions that enhance their suitability for commercial agricultural endeavors including:

- the presence of active farm operations including farm parcels adjacent to other farm parcels
- acreage contained within parcels commonly approaching 40 acres or more
- limited presence of residential neighborhoods
- the majority of the acreage in the P.A. 116 Farmland and Open Space Protection Program

It is intended that development densities in the Agricultural/Rural Residential Area be low. Limited densities are supported by a number of factors including, in part:

- the Township's commitment to protecting its farming industry and minimizing land use conflicts between farm operations and neighboring land uses
- the Township's commitment to managing growth, providing cost effective public services, and limiting suburban and urban development densities to specific and compact portions of the community
- the Township's commitment to protecting its natural resources and rural character
- the presence of a market for low-density rural lifestyles

Key policies of the Agricultural/Rural Residential Area are:

1. The primary use of land should be agriculture, resource conservation and other open space areas, and comparatively low density home sites.
2. Secondary uses should generally be limited to those that are uniquely compatible with the environmental and/or rural character of the Area such as kennels, stables, golf courses, and bed and breakfasts.
3. Minimum lot sizes should generally be restricted to about 1.5 acres provided adequate measures are available for potable water and sewage disposal. Greater minimum lot sizes may be appropriate for uses of a more unique or special character where there is an increased need for greater acreage to adequately accommodate the use's needs, afford greater building setbacks, and/or generally minimize impacts on nearby properties.
4. Exceptions to the lot size and density limitations in (3) above may be appropriate in the case of "open space preservation communities," where smaller than normal home sites are permitted provided substantial portions of the development tract is set aside in a permanent open space status. This option is further described in Chapter Five.

Prospective new residents in the Agricultural/Rural Residential Area should recognize that the noises, smells, and agricultural operations associated with responsible farm operations are a significant component of the Area and will continue on a long-term basis. Lake Township does not consider such activities and operations as nuisances. The Township supports the long-term continuation and protection of responsible farm operations and the local farming industry. Developers and real estate agents should disclose this information to their clients.

The Agricultural/Rural Residential Area encourages the continuation of all current and the introduction of new farming activities including the raising of crops and livestock and the erection of farm buildings, provided that they meet Department of Agriculture and Rural Development's "generally accepted agricultural management practices" (GAAMPs) and any requirements of applicable Township ordinances. In light of the Township's interest in maintaining the quality of life for existing households, reasonable care should be exercised in accommodating specialized agricultural operations that may have heightened impacts on surrounding land uses such as large concentrated livestock operations.

Suburban Residential Area

The Suburban Residential Area provides for residential development of a more suburban and urban character than planned elsewhere in the Township. The planned Suburban Residential Area extends along the majority of the M-25 corridor to a depth north and south of approximately one-quarter to one-half mile, depending upon existing land use and environmental conditions. The Suburban Residential Area also extends along the east side of Oak Beach Road, south from M-25 for a distance of approximately 1 ¼ miles, excluding areas planned for commercial use as described under “Commercial and Industrial Areas.”

The Suburban Residential Area is characterized by multiple conditions that support its appropriateness as a higher-density residential growth area including

- improved access via M-25 and Oak Beach Road
- existing suburban/urban development in the area
- soils that are more supportive of suburban/urban densities
- enhanced proximity and timeliness of fire protection services

Key policies of the Suburban Residential Area are:

- 1) The primary use of land should be single and two-family residences, including opportunities for small-lot subdivisions where adequate provisions are made for potable water and sewage disposal.
- 2) Secondary uses should be principally limited to alternative living arrangements such as townhouses, apartments, retirement centers, and similar housing options, along with uses that directly support and enhance desirable residential areas such as schools, religious institutions, and recreation facilities.
- 3) All living arrangements should ensure healthy environments including sufficient open space and safe motorized and non-motorized circulation.
- 4) Maximum development densities should typically not exceed two dwellings per approximately one acre, provided adequate measures are in place for sewage disposal and potable water.
- 5) Development densities of three or more dwellings per acre may be reasonable but only after special review proceedings to determine if the proposed development densities are appropriate on the proposed property. Minimum guidelines that should be considered are:
 - adequate infrastructure and public services including sewage disposal and potable water
 - on-site environmental conditions

- anticipated impacts on existing neighborhoods and opportunities for minimizing negative impacts through appropriate design measures

- 6) Development projects with densities of approximately six dwellings or more per acre should be of limited size, or be subject to phasing, to ensure that the desired character of the community is preserved and public services and infrastructure are in place to address the resulting increased demands.

Commercial and Industrial Areas

The Future Land Use Strategy establishes two principal planned “Commercial and Industrial Areas.”

The Oak Beach Commercial Area is comprised of two segments of Oak Beach Road to the north and south of the Sand Road settlement area. The north portion covers approximately 20 acres and extends west approximately one-quarter mile. The south portion covers approximately five acres and extends west approximately 600’. Uses planned for this Area are to principally be commercial endeavors.

The State Park Commercial / Industrial Area extends along the east side of State Park Road from M-25 south for approximately 750’, and for a depth of approximately 500’. Uses planned for this Area are to principally be commercial endeavors and light industry.

These areas are considered preferred locations for limited commercial and/or industrial growth and are characterized by one or more conditions that support such uses:

- excellent access and visibility afforded by M-25, Oak Beach Road, and State Park Road
- existing and/or past commercial or industrial activity in the area
- increased proximity and timeliness to fire protection services
- a more limited presence of residences near the State Park Commercial Area

In addition to the above planned commercial and industrial growth areas, the Plan supports the continued commercial use of the single lot along the south side of M-25, approximately 200’ west of Oak Beach Road, and the various lodging facilities along the M-25 corridor serving the tourist industry.

Key policies of the Commercial / Industrial Areas are:

1. The primary commercial use of land should be locally oriented services catering to the needs of the local and tourist population, and the highway traveler, including convenience and other retail sales, restaurants, offices, and other service providers.
2. Secondary commercial uses should be principally limited to those that provide additional benefits but which may not cater to the local and tourist population, and highway traveler, or may otherwise rely on a more regional market and generate heightened traffic levels and/or require larger building footprints or floor area.
3. Dwellings above commercial storefronts are recommended as a means to provide varied housing opportunities, security, and nearby consumers.
4. Primary industrial uses of land should be comparatively light industrial activities that generate minimal impacts on neighboring uses and limited demands on the township's public services. Uses may include, by example, small-scale product testing, information technology and technology research, calibration services, and the assembly of electrical components and other pre-manufactured items.
5. Secondary industrial uses should be principally limited to those that may result in more visible external impacts but which incorporate adequate measures to substantially limit nuisance conditions and have comparatively limited public services demands. Raw manufacturing is not a recommended industrial activity.

There may be existing residences in the designated commercial/industrial areas. The Plan supports the continued presence of these residences while, at the same time, supports the incremental conversion of such properties to commercial/industrial use should there be interest by the respective landowner. See (6) below.

6. To the extent that residential properties may be within the Commercial and Industrial Areas and remain in residential use, special provisions are to be employed where nonresidential uses are introduced, to ensure that appropriate site layout, including buffer yards and screening, minimizes negative impacts on existing home sites. Prospective residents to the area should recognize that nearby properties may transition into commercial and/or industrial uses, subject to Township review and approval.

7. Site layout, principal buildings and accessory facilities should be of a character and design that encourages compatibility with adjacent and nearby land uses and the desired rural character of the area. Such compatibility should be based on, in part, appropriate signage; building height, size, and bulk; parking location and configuration; signage and lighting; and landscaping and screening.

Preservation of Natural Resources

Lake Township includes abundant areas of woodlands, wetlands, and water courses. In light of the importance of these resources, the Plan supports their protection including the establishment of the Resource Conservation Area as previously described.

Preservation should take precedence over the unnecessary disturbance and/or destruction of these resources. These resources are vital parts of the township's environment, provide important environmental benefits including habitats for wildlife, flood control, groundwater recharge and discharge, and surface water purification. In addition, they provide special opportunities for recreation and contribute to the township's overall character and desirability as a place of residence and business.

Not all important natural resource areas may fall within the Resource Conservation Area described earlier in this Chapter or as otherwise delineated on the Future Land Use Map. The presence of such resources in areas designated for development should be recognized in the deliberation of rezoning, site plan, and similar proposals. Land uses requiring state and/or federal permits (especially for wetland or floodplain alterations) should not receive final Township approval until satisfactory evidence has been submitted verifying the acquisition of all necessary permits. Where a portion of a parcel contains environmentally sensitive areas, development should be directed elsewhere on the site where practical alternatives exist.

Keyholing

Keyholing, or funnel development, is the use of a waterfront lot as common open space for waterfront access for dwelling units located away from the waterfront. This results in potentially greater surface water use than would normally occur if the lot were used for its intended use, such as a single-family residence. As surface water use increases, so does the potential for shoreline erosion from speedboats, loss in property values, oil and gas spillage from powerboats, increased noise, conflicts between users (sailboats, fisherman, swimmers, etc.), and potentially increased water resource maintenance costs. Such

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threats become that much greater when keyholing occurs with the digging of canals to increase water frontage access to back lot residences.

These forms of development should be effectively regulated (and even discouraged) in the interest of preserving the environmental quality of the Township's lakes, protecting the public health, safety, and welfare, preventing conflict among users and preserving local property values and the character of local surface waters and associated shoreline areas.

Keyhole regulations should address, at a minimum, minimum lot area and width of common use lots, minimum water frontage per dwelling having access to a common use lot, water quality protection, common use lot parking facilities and setbacks, litter control, and related use and development features.

Phased Zoning

This Plan recommends that the rezoning of land to a more intensive zoning district be done in a phased or incremental manner. For example, while the Plan may identify locations that are appropriate to accommodate suburban residential development, the Plan does not recommend “across the board” or immediate rezonings of such land. The Plan recommends that rezonings to more intensive districts occur incrementally over time to ensure:

- adequate public services
- managed growth and development
- proper review of rezoning requests as they pertain to specific sites
- rezonings are in response to a demonstrated need
- no unnecessary hardships upon a landowner as a result of property assessments and/or the unintended creation of nonconforming uses and structures

Solar and Wind Energy

The existing land uses, topography and aesthetics of Lake Township would not be conducive to nor consistent with extensive solar farms or large wind energy generating systems. In general, such solar farms and wind energy generating towers should be discouraged, especially within the prime agricultural areas of the Township and along the lakeshore. To the extent that a solar farm or wind energy generating tower or towers is or are approved under the Zoning

Ordinance for Lake Township, the land coverage should in no event exceed one percent of the total land area of the Township as determined by the Zoning Administrator. In general, there are many areas outside of Lake Township within other parts of the “thumb” of Michigan further inland and away from Lake Huron that are more conducive to the installation and operation of solar farms or wind energy generating towers.

Overriding Considerations

Certain goals, recommendations and strategies of this Master Plan should be carefully reviewed (and complied with where possible or practical) when the Lake Township Board of Trustees, Zoning Board of Appeals or Planning Commission is considering a rezoning, site plan, planned unit development, special land use, variance or other zoning request. Those “super considerations” should override almost everything else in this Master Plan and are as follows:

- Farms and agricultural land should generally be protected and preserved.
- The lakeshore vistas and beauty should be preserved and protected.
- The Township is generally not well suited for new large-scale residential developments.
- There is no current need or demand within the Township for additional manufactured housing communities/mobile home parks.
- Large-scale, heavy or intensive industrial uses should generally not occur within the Township.
- Impacts on the environment, watersheds, woodlands and wetlands should always be considered.
- Lake areas should always be protected.
- Even if a proposed use is seemingly consistent with the Master Plan Future Land Use Map, the timing of development must be considered and the use may not yet be appropriate if the infrastructure, utilities, public services or other supporting services are not in place.
- Any proposed use, buildings, structures or activities must be consistent with the lakeshore, rural and agricultural character of Lake Township.
- Each proposed use, buildings, structures or activities must be reasonable.

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