

## Land Use

Land use is the core element of community planning because of its impact on residents' daily lives. Combined with demographic data and community input, land use planning creates a direction for Leelanau Township to develop ensuring that future development is consistent with the vision set by the Master Plan. Leelanau Township follows a development pattern quintessential of shoreline communities. Smaller dense parcels are located on the shore that support mainly residential uses and larger parcels are located inland and are dominated by agricultural uses. Omena, in the southern area of the Township along M-22 functions as a very small village with a few commercial uses and denser residential properties.

There are three main components to the following land use analysis: existing land use, future land use, and zoning. Existing land use codes are applied to parcels by the assessor for taxation purposes and broadly categorized as agricultural, residential, exempt, commercial, and industrial. The future land use map is initially based on existing land uses, but it then shows how the community will change and where Leelanau Township wants to be in the next 15-20 years. Finally, future land use categories lay the groundwork for modifying the land use regulations in the Zoning Ordinance so that eventually local law aligns with the vision set forth in the Master Plan. The table titled "FLUM Categories and Corresponding Zoning Districts" compares the descriptions of the proposed land use categories to the existing zoning districts.

## Existing Land Use

Local property assessors assign property tax classifications to each parcel in Leelanau Township to currently determine bi-annual property tax rates. These land use codes can be used to illustrate the existing land use framework of the Township.

Table XX: Existing Land Use

| Land Use       | Acres          | Percent of Total |
|----------------|----------------|------------------|
| Residential    | 14,923.3       | 49.8%            |
| Agriculture    | 7,490.4        | 25.0%            |
| Exempt         | 3,859.7        | 12.9%            |
| <i>State</i>   | <i>3,505.1</i> | <i>11.7%</i>     |
| <i>Local</i>   | <i>301.2</i>   | <i>1.0%</i>      |
| <i>Other</i>   | <i>53.4</i>    | <i>0.2%</i>      |
| Commercial     | 3,085.5        | 10.3%            |
| Conservation   | 502.6          | 1.7%             |
| Act 531 Forest | 50.0           | 0.2%             |
| Tribal Land    | 26.3           | 0.1%             |
| Industrial     | 15.7           | 0.1%             |

Source: Leelanau County Equalization Department

## Residential

The largest land use in the Township is residential land which accounts for almost half of all land. However, the type of residential land varies greatly by size. Of the 2,436 residential parcels, 44% are under one acre. Despite accounting for almost half of the total parcels in the Township, parcels

under one acre represent 3% of all residential land. Conversely, parcels over 10 acres account for only 12% of all residential parcels but 79% of residential land. This indicates that residential land is dominated by large tracts of land.

### Agriculture

Agricultural land, a defining feature of Leelanau Township, represents one-quarter of all land. Agricultural land is predominantly located in the heart of the Township, away from the lakeshore which is dominated by residential properties. Because agricultural land is ingrained into the identity of the community it is important to emphasize agricultural land preservation in land use planning. There are many ways to achieve agricultural land use preservation, but the three main ways are through the Farmland Preservation Program, zoning, and deed restrictions. The Farmland Preservation Program is a voluntary agreement administered by the Michigan Department of Agriculture and Rural Development where landowners agree to use their land for only agricultural purposes or maintain the land as green/open space in exchange for tax incentives.<sup>1</sup> Additionally, zoning and future land use can specify what lands should be zoned for agricultural use and what the permitted uses on that land are. Finally, landowners can voluntarily exchange development rights with another party for compensation. For example, Leelanau Township or another organization can offer O. McDonald, who owns a large tract of agricultural land, compensation in exchange for placing a deed restriction on their property. This deed restriction would limit the type of future development that can occur on their property, preserving the agricultural nature of their property in perpetuity.

### Exempt

The third largest land use in the Township is exempt land which accounts for 13% of all land in the Township. Exempt land is land that is exempt from property taxes. The exempt land in Leelanau Township falls into one of three categories, State, local, and other. State exempt land is land owned by the State of Michigan. Leelanau State Park and parts of the Fox Islands account for most of the State exempt land. Local exempt land is owned by a local governmental body which includes Leelanau County and Leelanau Township. Exempt other land is land owned by other tax-exempt organizations including religious and educational organizations.

### Commercial

Commercial land is the final land use classification with a substantial presence in the Township (10% of all land). There are two main concentrations of commercial land, Omena and Northport Pointe. Omena has several commercial businesses including an art gallery and wine tasting room. Northport Pointe does not have substantial commercial developments, but the golf course and associated businesses on Northport Pointe are classified as commercial land. Additionally, it is important to note that a substantial part of South Fox Island is classified as commercial land. The existing development on South Fox Island includes an airstrip and several structures. The commercial property on South Fox Island is owned by Mirada LLC, an organization in the Victor International Corporation umbrella. Victor International Corporation is a real estate development company that builds large scale resort communities including Bay Harbor in Petoskey, MI.

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<sup>1</sup> "Farmland Preservation General Information", Michigan Department of Agriculture and Rural Development", <https://www.michigan.gov/mdard/environment/farmland>

## Conservation

Conservation land accounts for roughly 2% of the land in Leelanau Township. Land owned by the Leelanau Conservancy, Saving Birds Thru Habitat, or is otherwise conservation land. This designation is not all encompassing because there are other lands that are held in a state of preservation/conservation and not included in this designation such as the Leelanau State Park.

## Act 531 Forest

The Act 531 Forest classification applies to properties in the Commercial Forest Program. The Commercial Forest Program is a voluntary program run by the Michigan Department of Natural Resources and requires participating landowners to manage their land for long-term timber production in exchange for reduced property taxes. Commercial forest lands are open to public foot traffic for hunting, trapping, and fishing.<sup>2</sup>

## Tribal Land

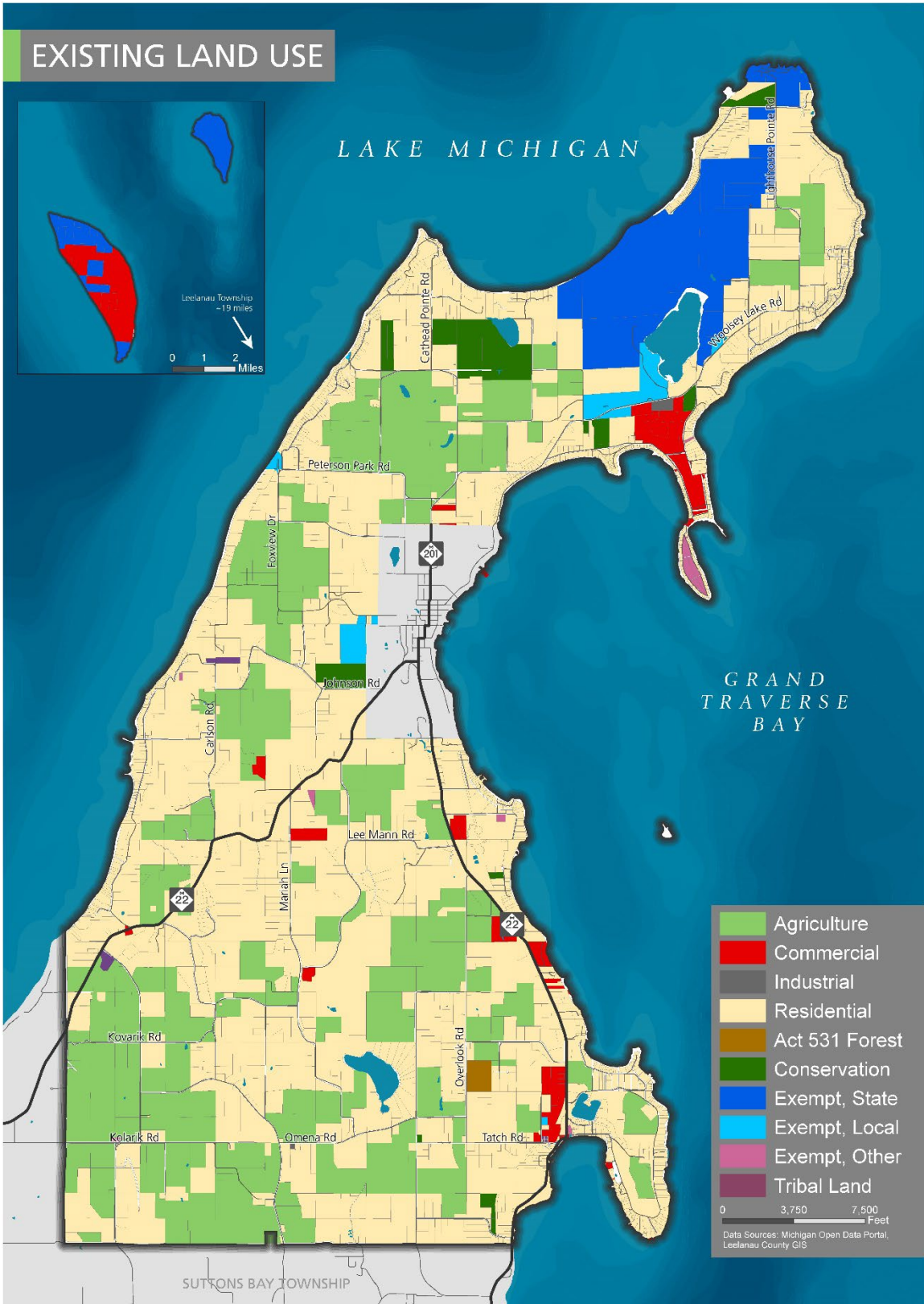
The Grand Traverse Band of Ottawa and Chippewa Indians owns roughly 26 acres of land in the Township. Peshawbestown, the center of tribal activity in the County, is located just south of the Township boundary along M-22.

## Industrial

There is a very small amount of industrial land in the Township. One of the two industrial parcels is located across from the Woolsey Memorial Airport and the other is an energy station along E Omena Rd.

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<sup>2</sup> "Commercial Forest Program", Michigan Department of Natural Resources, [https://www.michigan.gov/dnr/0,4570,7-350-79136\\_79237\\_80945\\_83262---,00.html](https://www.michigan.gov/dnr/0,4570,7-350-79136_79237_80945_83262---,00.html)



Map XX: Existing Land Use

## Zoning

Zoning is the local law that governs land use and is enforced by the Planning Commission and the Zoning Board of Appeals. Because zoning is the primarily regulatory tool for local land use recommendations from the Master Plan are primarily implemented through amendments to the zoning ordinance. A summary of existing zoning districts is below.

### Agricultural District (A)

The regulations of this district are meant to facilitate agricultural and horticultural operations and to conserve productive Agricultural Lands. The minimum lot size for this district is 10 acres and has a residential density of 1 unit per parcel.

### Residential Districts

#### Low Density (R1)

The R1 district serves as the low-density residential district. It includes much of the Township's shoreline areas. This district may serve as a transitional residential area between the Agricultural or Residential/Conservation districts and the higher density residential districts. The minimum lot size for this district is 2 acres but the minimum lot size can be reduced if it is in compliance with the open space residential development standards.

#### Medium Density (R2)

R2 districts are typically located adjacent to R1 properties and, in certain locations, serve as buffer zones between the R1 and commercial, light industrial, and higher density residential uses. The minimum lot size for this district is 2 acres but the minimum lot size can be reduced if it is in compliance with the open space residential development standards. Maximum residential density in this district is one unit per acre. The size of minimum parcel and the dwelling unit per acre requirements are not consistent with the intent of "medium density residential" and should be reduced.

#### High Density (R3)

The R3 districts are located on or with public access to major thoroughfares and close to the Villages of Northport and Omena or in locations where they can serve as transition zones between commercial or light industrial uses and less intensive residential areas. The district includes three classifications, R3A – Multiple Family Dwellings, R3M – Mobile Home Park, and R3S – High Density Single Family Residential.

#### *Multiple Family Dwellings (R3A)*

The multiple family residential district is provided to serve the needs for the duplex, apartment or townhouse type dwelling units. The minimum lot size for this district is 1 acre but the minimum lot size can be reduced if it is in compliance with the open space residential development standards. Maximum residential density in this district is 8 units per acre.

#### *Mobile Home Park (R3M)*

The mobile home park district is intended to provide for alternate types of single-family housing. An additional objective is to establish certain standards for Mobile Home Park developments in order to further the health, safety, and welfare of the residents. The minimum lot size for this district is 0.75 acres but the minimum lot size can be reduced if it is in compliance with the open

space residential development standards. Minimum lot size also reduced to 5,500 sq. ft. when a parcel in this district is connected to a common sanitary sewer system.

#### *High Density Single Family Residential (R3S)*

The purpose of this district is to provide for small lot, platted subdivision developments or site condominium subdivisions of three or more building units, free from other uses except those normally accessory to and compatible with neighborhood residential living. The minimum lot size for this district is 1 acre but the minimum lot size can be reduced if it is in compliance with the open space residential development standards.

#### *Pre-Platted Subdivisions (R4)*

The R4 district includes only certain residential subdivisions, in their entirety, which were platted and recorded before the adoption of the Leelanau Township Zoning Ordinance. As a result of the Zoning Ordinance enactment, many lots of record in said subdivisions are dimensionally non-conforming. It is the intent of this district to provide reasonable setback and side yard standards to facilitate the use of these lots. Rezoning to this district shall be based on a precedent of need as established by the variance request history of the plat and must be a requested action of the Zoning Board of Appeals or the Township Board.

#### *Residential Conservation (RC)*

The Residential/Conservation district will be comprised of lands 65% or more of which meet one or more of the following criteria: a) Wetlands, as defined by Michigan Public Act 451, Natural Resource and Environmental Protection Act, as amended; b) Dune lands, as defined and regulated by Michigan Public Act 451, Natural Resource and Environmental Protection Act, as amended; c) Steep slopes, as defined in the Leelanau Township Zoning Ordinance; d) Lake Michigan and Grand Traverse Bay shorelines (those areas lying within five hundred (500) feet of the "Waterfront Setback Datum"; e) Areas within one hundred fifty (150) feet of a stream, pond, inland lake or the designated flood plain of the water bodies; f) Topography and/or soil(s) that limit agricultural and forestry production capability. The minimum lot size for this district is 10 acres but the minimum lot size can be reduced if it is in compliance with the open space residential development standards.

#### *Government District (G)*

The Governmental District is designed to classify publicly owned uses and lands which are intended for major use in a recreational or institutional setting by the public

#### *Commercial Districts (C)*

##### *Commercial District*

The Commercial District is designed to provide for local shopping and includes a wide range of convenience stores and personal service establishments which cater to frequently recurring needs. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by excluding local service establishments which tend to break such continuity and to limit uses or characteristics of operation which encourage traffic from outside the immediate neighborhood. The minimum lot size for this district is 6,000 sq. ft.

Commercial Resort District

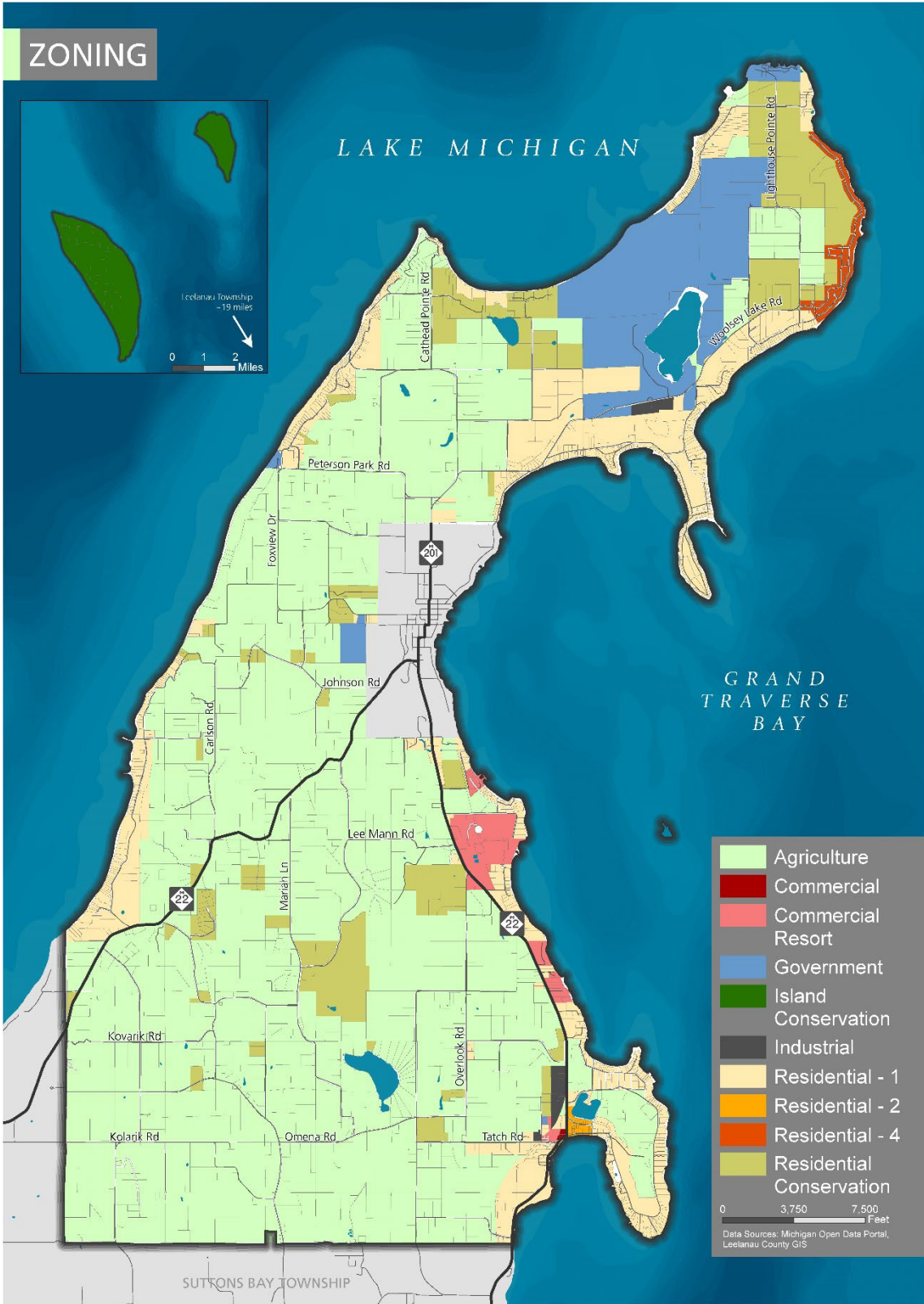
The intent of this District is to provide opportunities for accommodating the housing needs of Township tourists and residents through development projects designed to preserve significant portions of the project site in its natural state and offer outdoor recreation opportunities for the development’s permanent residents and persons having temporary lodging accommodations. The developments, including their recreational facilities, are compatible with the overall rural character and natural resources of the Township, including its shoreline resources. Land in this district must total 10 acres but may be comprised of contiguous parcels.

Industrial District (I)

It is the intent of this District to provide for the development of a variety of warehousing, light industrial manufacturing, and research uses that are compatible with existing or planned adjacent uses. This District is characterized by developments on major roads and having a low percentage of land covered by buildings and parking. The minimum lot size in this zoning district is 10 acres.

Island Conservation District (IC)

It is the intent of this district to establish land use regulations that will minimize the effect of development on the natural undisturbed character of North and South Fox Island. The minimum lot size in this zoning district is 10 acres.



Map XX: Zoning

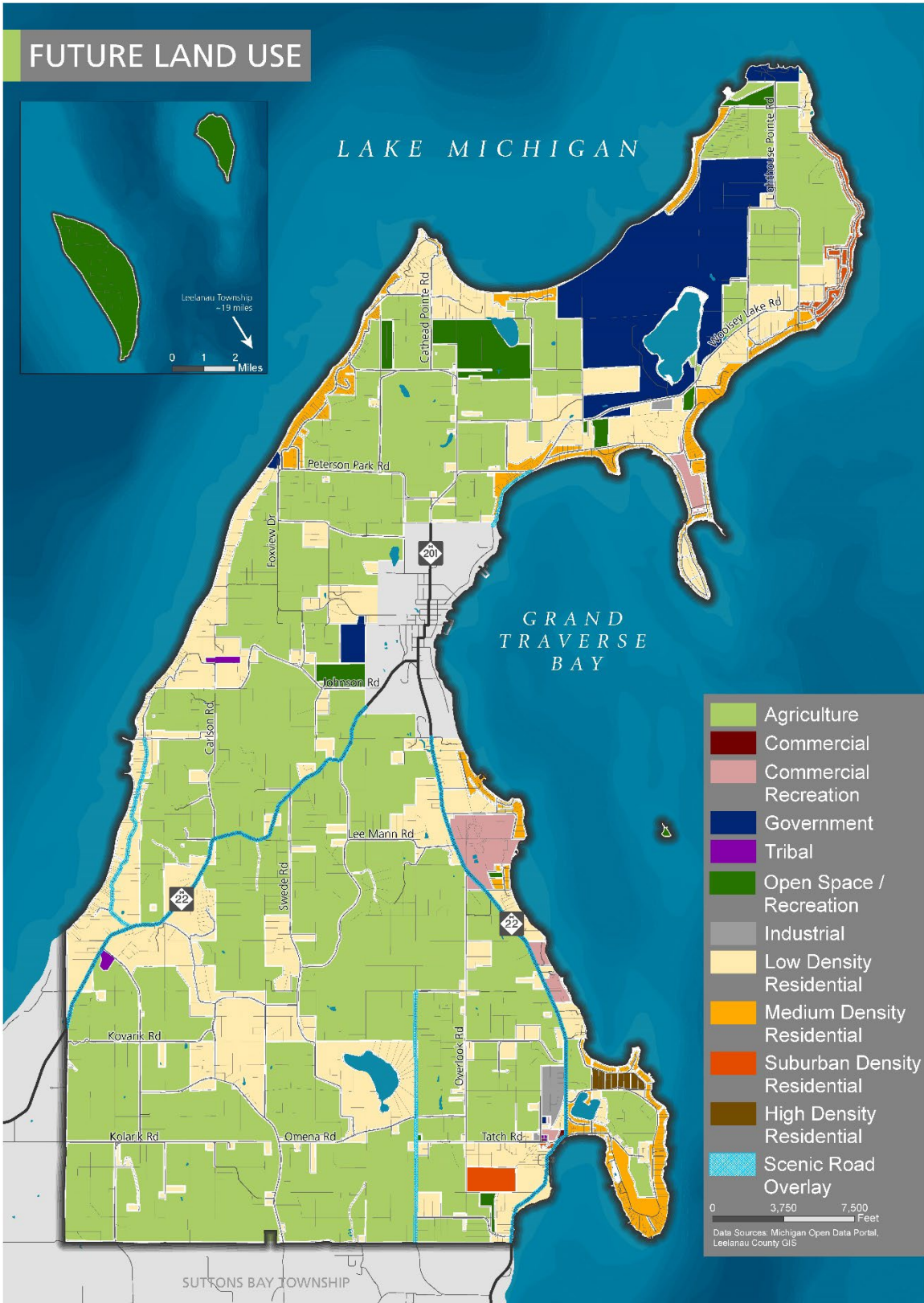


## Future Land Use

The “Future Land Use Map” (FLUM) identifies generalized future land uses in the Township. It is a general framework, a land-use vision of intended future uses, that guide land use and policy decisions. The FLUM should drive changes to the zoning ordinance and inform development review decisions.

| Proposed Land Use Category | Description   | Current Zone(s)                 | Proposed Changes  |
|----------------------------|---|---------------------------------|---|
| Agricultural               | This district maintains the intent and standards of the existing agricultural district.   | Agricultural (A)                | Permit U-Pick, farm markets, corn mazes, and farm stays.              |
| Commercial                 | This district maintains the intent and standards of the existing commercial district.   | Commercial (C)                  | Permit farm markets and farm stays.                                   |
| Commercial Recreation      | This district is intended to provide standards for all private outdoor recreation enterprises including but not limited to campgrounds, RV parks, and golf courses.   | Commercial Resorts (CR)         | Include all private outdoor recreation in standards.                  |
| Industrial                 | This district maintains the intent and standards of the existing industrial district.   | Industrial (I)                  | None  |
| Government                 | This district maintains the intent and standards of the existing government district.   | Government (G)                  | None  |
| Open Space and Recreation  | This district provides for permanent open space, designed to remain undeveloped or for public recreation use. This district also includes North and South Fox Islands | New/Island Conservation (IC)    | None  |
| Low Density Residential    | This district is intended to support single- and two-family residential development at a slightly higher density than currently permitted in the R1 district.         | Low Density Residential (R1)    | Permit ADUs   |
| Medium Density Residential | This district is intended to support single- and two-family residential development at a slightly higher density than currently permitted in the R2 district.         | Medium Density Residential (R2) | Reduce minimum lot sizes, reduce dwelling units per acre, permit ADUs |
| High Density Residential   | This district is intended to support multi-family residential development at a slightly higher density than currently permitted in the R3A district.                  | R3A                             | Reduce minimum lot sizes, permit ADUs                                 |

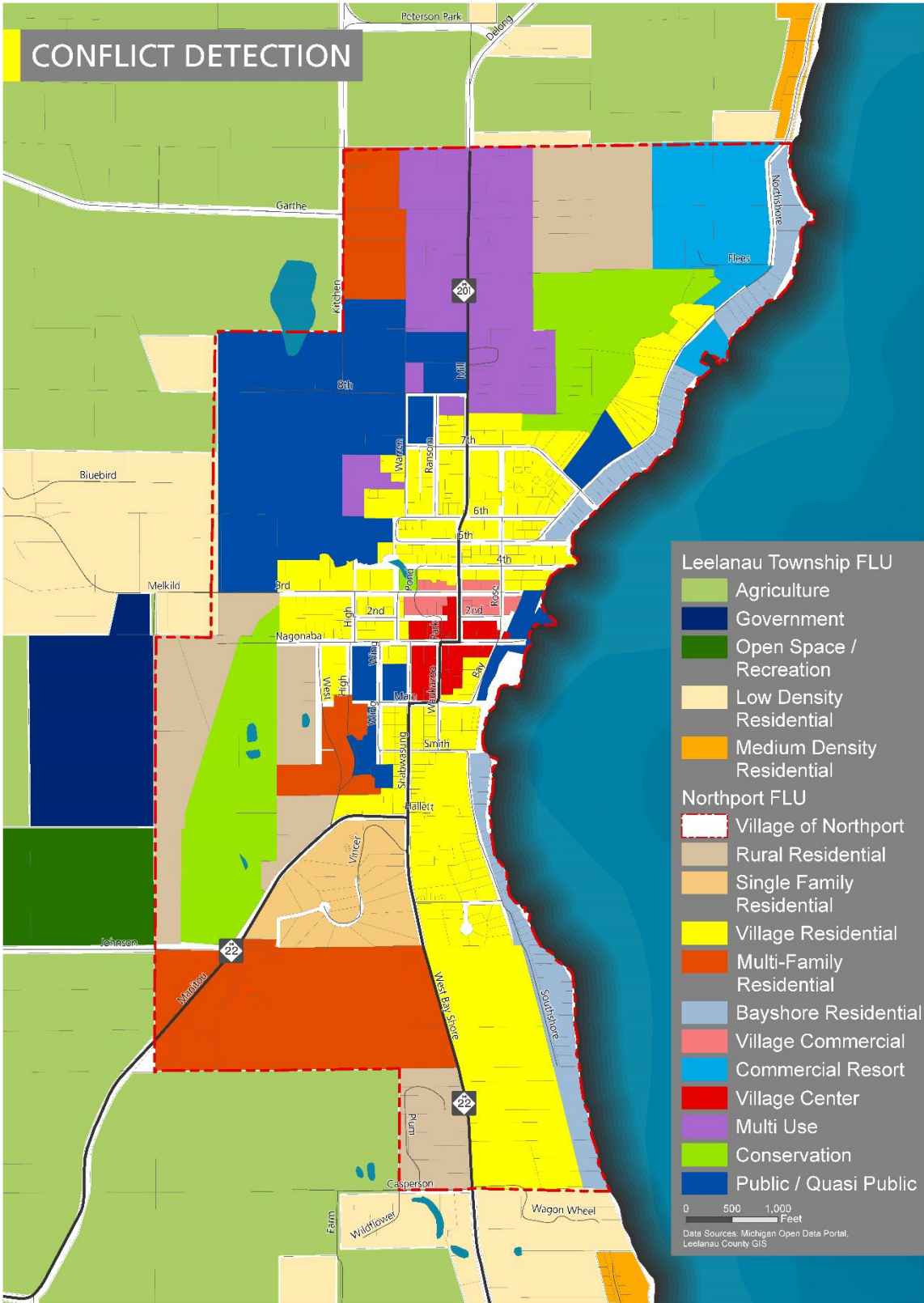
|   |  |              |                                       |
|---|--|--------------|---------------------------------------|
| Suburban Residential                    | This district is intended to support single-family residential development at a slightly higher density than currently permitted in the R3S district.  | R3S          | Reduce minimum lot sizes, permit ADUs |
| Manufactured Home*                      | This district maintains the intent and standards of the existing R3M district.   | R3M          | None                                  |
| Tribal Land                             | This district is intended to illustrate where tribally owned properties are located. Local zoning law does not apply on land owned by a tribe. Adjacent properties to tribal property should be zoned consistent with the uses on the tribal property. | New          | None                                  |
| Scenic Road Overlay                     | This district establishes setbacks and screening requirements for properties fronting a scenic byway or natural beauty road.   | New district | n/a                                   |
| *Not illustrated on future land use map |  |              |                                       |



Map XX: Future Land Use

### Conflict Detection

A key component of future land use planning is ensuring that the future land use scheme does not conflict with the future land use planning of nearby jurisdictions. Because the Village of Northport and Leelanau Township are tightly connected it is critical to ensure that the future land use schemes of both communities are not in conflict. The map titled "Conflict Detection" shows the Northport's future land use plan in relation to the township's future land use plan. All township property bordering the village is categorized, agricultural, low density residential, governmental, or medium density residential. The key conflicts between these uses are heavy intensity uses like industrial or warehousing. There are no conflicts between the future land use scheme in the Village of Northport and Leelanau Township.



Map XX: Conflict Detection