

Chapter 7.0 Land Use

7.1 Land Use Patterns

Patterns of land use evolved from economic necessity. The economy was firmly linked to trade routes that followed natural features such as lakes and streams. The general historic land use patterns which are common to the Upper Peninsula are reflected in the land use patterns that have developed in the Ishpeming area. Settlements were established at, or close by, active points of commercial activity, namely mining activity. Ishpeming is an example of a community that was developed near mining activities. Mining remains a considerable influence on the City of Ishpeming today.

Natural features and cultural influences were also important determinants of how land was used. Rugged terrain and swampland, for instance, were not inviting for the establishment of settlements. Cultural influences are reflected in the types of buildings constructed, local commercial practices and community traditions and activities.

7.2 Factors Affecting Land Use

Land use is never a static process; change is always occurring. Decisions affecting land use can come from a variety of sources. Changes in land use have been the result of various decisions made by individuals, families, businesses, or governmental and public agencies. It is important to note, however, that land use changes cannot be attributed to a single set of decisions made by one group or individual. Rather it is a combination of decisions made by a number of individuals, organizations or public agencies.

Location tends to be the most important factor for home buyers and commercial interests. The availability of public and private services, accessibility, existing conditions of the area, and price are other important considerations. Speculators may purchase, hold or sell property based on an anticipated future profit. Land developers, too, attempt to anticipate market conditions, i.e., supply and demand for housing, goods and services, or industrial needs. They strive to accurately assess the type, scope, and optimum time of development that will produce a profitable outcome.

Owners of business and industrial concerns decide to start, expand, or close their operations based on economic probability. Many factors may be considered in determining economic feasibility including supply and demand for the goods or services produced, cost and quality of transportation, and site availability. Local decisions have a bearing on these factors.

Generally, the immediate self-interest of the individual or organization making a land use decision supersedes what impact the use may have on the surrounding lands.

Decisions determined in this fashion can potentially result in incongruous or incompatible development since the community's overall pattern of development is not necessarily among the factors considered. Laws and regulations have been enacted giving local units of government the means to deal with land use issues. These legal tools allow federal, state and local governments to address the overall compatibility and appropriateness of development and land use.

Federal legislative actions have created a number of loans and grant programs for community facilities, water and wastewater systems, housing, economic development, and planning. Drinking water standards, air quality and many other environmental factors are addressed in federal regulations. These laws, regulations and programs do have direct and indirect effects on land use and development. For example, an indirect effect may result if a community that lacks sufficient sewage disposal capacity to serve industrial uses may be able to obtain federal funding to assist with expansion of its sewer treatment facility, which in turn, may lead to industrial development.

The traditional role of the state has been limited to providing the enabling legislation for local units of government to regulate growth and development through planning and zoning. The State of Michigan does, however, regulate land use and development in regions of environmental concern including wetlands, floodplains and coastal areas. This can have a direct effect on local land use. The state also enforces standards for municipal water systems and wastewater systems that are at least as strict as federal standards. A community's ability to provide water and wastewater treatment systems is directly affected by these regulatory standards.

Local governments can exert the most effective influence on land use changes through zoning ordinances, subdivision regulations, building codes, and public investment in roads, water and sewer systems, parks, etc. Local planning efforts that seek to define the most desirable and appropriate uses for the various parts of a community, and anticipate and prepare for growth, can serve to guide future land use decision-making. The City utilizes a zoning ordinance to regulate land use.

Other factors affecting land use include the existing transportation system, taxation, land values, natural features, changing technology, and market conditions. Changes in lifestyles, family size, shopping preferences, and customer attitudes also affect land use decisions. Mobility is greater than at any previous time, families are smaller, and life expectancies have increased. These changes are reflected in employment patterns and housing and shopping preferences. From a land use standpoint, some pertinent issues are the preferences for larger homes situated on larger parcels, the apparent willingness to endure longer commuting distances to work, and the growing market for housing

specifically designed for elderly residents - particularly those residing for only part of the year.

The transportation system that serves a community determines how quickly and easily raw materials and finished goods can be received and shipped. It also is directly related to product cost, a crucial factor for business. The expanding network of roadways in the U.S., together with the proliferation of private automobiles, has enabled residents of rural areas to commute to larger communities for employment and shopping, and has increased the accessibility of many areas to tourists. This increased mobility has, in many cases, facilitated development of strip commercial areas, large shopping malls, and suburban residential development. Referred to as “urban sprawl,” such development frequently converts open space and agricultural land to more intensive uses.

Taxation and land values play a part in many land use decisions. Families may move from urban areas because they feel they are willing to trade off lower taxes and/or user fees for the lack of municipal services and increased distance from employment, shopping, and schools. Land values in rural areas may also be lower, thus more attractive to residents. Commercial and industrial enterprises are generally less willing to forego municipal services such as water and sewer. They are also more likely to locate in areas of concentrations of population rather than in very rural areas. Tax rates and land values are important considerations for businesses as well.

Changing technology, including computer networking, cellular telephones, facsimile machines, voice mail, teleconferencing, video conferencing, and electronic mail provide businesses with location options that were previously not practical. Often, the quality of life associated with these rural locations is an additional attraction.

7.3 Water Features

Land use is also affected by area water features. Many lakes and rivers are used for recreational purposes as well as for residential and commercial uses and development. The City of Ishpeming boasts numerous lakes including Lake Sally, Lake Ogden, Lake Angeline, Cedar Lake, Miller Lake, Lake Bacon, Little Lake, Baby Lake, Minnie Lake, Gunpowder Lake, Grass Lake, Teal Lake and Lake Bancroft. Many of Ishpeming’s lakes were created as the result of past mining operations. Gas motors are not permitted on any lake in the City of Ishpeming. Carp Creek and Partridge Creek also run through Ishpeming.

Lake Bancroft, Lake Angeline and Lake Bacon have residential development around them, due to the availability of adjacent land for development. Portions of Lake

Angeline are privately owned, preventing further residential development at this time. Lake Angeline and Lake Bacon have areas of difficult terrain preventing further residential development.

Many of Ishpeming's lakes are used for recreational purposes. Lake Angeline is somewhat difficult to get to at this time but the City is currently pursuing obtaining public access to the lake. Lake Angeline is considered a good fishing lake. Cedar Lake is used for swimming. Mineral rights to all of the City's southern lakes are retained by CCI.

7.4 Current Land Use Inventory

Land cover is the natural landscape recorded as surface components: forest, water, wetlands, urban, etc. Land cover can be documented by analyzing spectral signatures of satellite and aerial imagery. Map 7-1 presents an orthophoto, or aerial photo of Ishpeming, providing an accurate representation of the earth's surface. Map 7-2 illustrates updated land cover based on an interpretation National Oceanic and Atmospheric Administration (NOAA) data.

Land use for the City of Ishpeming has been determined utilizing the City's Zoning Districts, providing an up to date description of current land use in the City. Land use is the documentation of human uses of the landscape: residential, commercial, agricultural, etc. Land use can be inferred but not explicitly derived from satellite and aerial imagery. There is no spectral basis for land use determination in satellite imagery. The districts and approximate acreage are described in Table 7-1 below. Map 7-3 illustrates current land use.

Single Family Residential: Single family residential areas are set up for the establishment and preservation of quiet neighborhoods of detached single family dwellings with a low to medium density. The City has approximately 589 acres of land designated for single family residential use, accounting for 9.9 percent of the City's total acreage.

General Residential: General residential areas are created for the establishment and preservation of medium density residential neighborhoods. The City has approximately 815 acres of land designated for general residential use, accounting for 13.7 percent of the City's total acreage.

Multiple Residential: Multiple residential areas are established for high density residential neighborhoods. The City has approximately 102 acres of land designated for multiple residential uses, accounting for 1.7 percent of the City's total acreage.

Neighborhood Commercial: Neighborhood commercial areas are intended to encompass businesses which cater to the retail and service needs of the surrounding neighborhoods, but which do not require large areas of land. The City has approximately 19 acres of land designated for neighborhood commercial uses, accounting for 0.3 percent of the City's total acreage.

General Commercial: General commercial areas are designed to establish and preserve a general commercial business district containing uses which include the retail sale or combination retail/wholesale of commodities catering to the whole community and/or the need of highway tourist traffic. The City has approximately 478 acres of land designated for general commercial usage, accounting for 8.0 percent of the City's total acreage.

Central Business: Central business areas are established to provide flexible regulations that apply to businesses located in the core area of the City, where intensive commercial development occurs. The City has designated approximately 30 acres of land for the central business district, accounting for 0.5 percent of the City's total acreage.

Industrial: Industrial areas are established to preserve a zone for industrial and related uses to serve the general industrial needs of the community provided that the industry will be isolated from other types of land uses and does not cause undesirable emissions and/or offensive odors. The City has designated approximately 435 acres of land for industrial use, accounting for 7.3 percent of the City's total acreage.

Deferred Development: Deferred development areas are established to set aside larger undeveloped parcels of the City for future development purposes, by limiting unplanned development which tends to divide the areas into smaller, more difficult to develop parcels. Development is also delayed until utilities and services can be provided to the area. The City has designated approximately 824 acres of land for deferred development, accounting for 13.9 percent of the City's total acreage.

Mining District: Mining areas are designed to establish and preserve tracts of mineral lands within the City which have a potential for developing into mining projects. The City has designated approximately 2,652 acres of land for potential mining, accounting for 44.6 percent of the City's total acreage.

Category	City of Ishpeming Acreage	Percentage of Total Acreage
Single Family Residential	589	9.9
General Residential	815	13.7
Multiple Residential	102	1.7
Neighborhood Commercial	19	0.3
General Commercial	478	8.0
Central Business	30	0.5
Industrial	435	7.3
Deferred Development	824	13.9
Mining District	2,652	44.6
Total	5,944	100.0

Source: CUPPAD Regional Commission, City of Ishpeming Current Land Use Map, 2009.

7.5 Residential Land Use

Residential land use includes single family homes, multi-family homes and mobile homes, in a low to medium density pattern. Following 1986, large parcels of land, owned by mining interests, were sold. Many of the parcels were sold off in sizeable tracts of land and largely sold to developers. These land areas have made large tracts of land available for residential as well as commercial development. There are approximately 2,800 residential parcels currently identified in Ishpeming. In the City, single family residential use is concentrated:

- North side of US-41, from Deer Lake Road south and east to Mather Avenue and Walnut Street abutting the highway; Palms Brook Addition
- North of US-41 is an area of single family residential use east of Cooper Lake Road and north and south of Highland Drive; Cliffs Eighth Addition
- The area along Wabash Street and 9th Street is also designated for single family residential homes; Wabash Heights
- The south western segment of the City is also single family residential, from just south of Business M-28 to Saginaw Street, west of the railroad tracks; Suncliff #1
- Ishpeming Hills subdivision has also been developed one ½ mile from the Country Village and has been designated as a Neighborhood Enterprise Zone. The subdivision utilizes City water services, natural gas, septic systems, as well as buried electricity, cable and telephone lines to avoid visible utility boxes and cables

General residential land use consists of medium density residential neighborhoods. General residential land makes up the majority of land allotted for residential use in the City (54.1 percent). General residential land is located in the following areas of Ishpeming:

- North of the downtown area, from Hematite Drive in the south, north to Lake Bacon, east to Malton Road and the district stretches west across the City to Lake Bancroft and the land surrounding the lake
- East of the downtown from East Ridge Street south to East Pearl east to 7th Street
- A large area of general residential use exists from Marquette Street west to South Pine Street north and south of Business M-28
- East and West of South Pine Street from West Bluff Street south to Lower Pine Street
- South Pine Street east to Salisbury Street
- West of Washington Street from C Street (in the north) to the railroad tracks south of Winthrop Street (in the south)

Multifamily residential land has been established for high density residential areas. Multifamily residential units in the City may be in need of expansion. These areas include:

- Canda Manor Apartments at 711 West Empire
- Woodcliff Apartments at 708 West Empire
- Noe Way north to West Superior Street-duplex, triplex, four-plex
- Pioneer Bluff Apartments at 111 Bluff Street
- Town Square Apartments at 429 North 7th Street
- Mid Town Apartments at 2nd Street and Division Street
- West of Washington Street between Cedar Street and Greenwood Street
- Area surrounding River Ridge Drive west of Adams Street

Residential living preferences changed significantly after World War II and accelerated in the 1970s. During World War I, the Depression and World War II, new housing starts dropped to near zero. After World War II however, the surge in housing construction was unprecedented. The widespread development of suburban housing that got under way in 1946 was inspired by the typical American pattern of rural settlement, where each farmhouse stands alone on its own ground, often out of sight of any neighbors. The typical suburb consists almost entirely of single-family detached homes surrounded by their own lawns, gardens, sheds and centered on lots that provide at least minimum separation from neighbors, even in low income and middle income districts.

Average new homes built within the last decade typically have two or more stories, three bedrooms, two and a half baths, central heating and air conditioning and a garage. These homes are 46 percent larger than those homes built in the mid 1970s. Low density settlements prevail in the surrounding Townships. As shown in Chapter 5, Table 5-15, the City issued 41 building permits in 2008. Total construction costs for all building permits issued in the City totals over \$1,144,712.00 in 2008. The Ishpeming City Council approved an addition to the Ishpeming Hills subdivision in spring 2009. The expansion may add about 20 lots to the neighborhood. A condominium project was developed along Hematite Drive by a local entrepreneur. Another local entrepreneur has proposed an additional condominium development on Hematite Drive, east of Lakeshore Drive.

As discussed briefly in Chapter 4, the City of Ishpeming has created a Neighborhood Enterprise Zone (NEZ) under Public Act 147 of 1992. The purpose of establishing NEZ's is to promote home ownership and investment in areas where the greatest impact could occur and where such improvements may trigger additional investment in adjacent neighborhoods. The benefit of the NEZ program to property owners in these areas results in lower property taxes. NEZ property tax abatements are available for rehabilitation of an existing property and new construction.

The legislation allows a community to reduce the taxes on property for 12 years in designated areas to promote the revitalization of those neighborhoods. Developers and owners must first seek approval for the NEZ benefits before starting a project. There are two different types of projects that can be undertaken in an NEZ:

- A rehabilitated facility is defined as an existing structure or a portion of an existing structure with a current true cash value of \$80,000 or less per unit that has or will have as its primary purpose residential housing consisting of 1–8 units.
- A new facility is defined as a new structure or portion of a new structure that has as its primary purpose residential housing consisting of one or two units, one of which will be owner occupied as a principal residence. This definition includes a new individual condominium unit, in a structure with one or more condominium units, that has as its primary purpose residential housing which will be owner-occupied as a principal residence. This definition does not include apartments.

NEZ's also promote neighborhood revitalization and encourage owner occupied housing and new investment by lowering property taxes. The City of Ishpeming has designated several areas as NEZ's.

7.6 Commercial Land Use

The majority of commercial development in the City is concentrated in two areas; the Country Village and the Central Business District (downtown). These areas are also compatible with residential uses.

Ishpeming's downtown served as a regional hub for the western portion of Marquette County and the eastern end of Baraga County until the 1970s. The central business district in the City is the downtown area (see Map 7-3). The downtown is located north of West Division Street (Business M-28). Ishpeming's downtown area is very unique in that it is located off of the main thoroughfare through town (US-41). Attracting businesses to locate in the downtown area in the City is a necessity for renewal. There are buildings available for commercial use and several buildings currently in use are undergoing renovations to revitalize the downtown. The downtown area is in a process of reinventing itself, catering to residents and tourists alike, but the area is not likely to become the regional hub it once was. The area offers mixed use developments, with many rentals available above commercial enterprises for residents. The Midtown Apartments are also located in the downtown area.

A sales agreement was reached for the former Bell Hospital building in downtown Ishpeming in spring 2009. The City of Ishpeming has agreed to place the property under the Obsolete Property Rehabilitation Act (OPRA), which calls for a 12-year freeze of the building's assessed value, providing the facility's owner with significant property tax savings. The building's new owner is currently exploring leasing options for interested parties. The sale of the former Bell Hospital avoids demolishing the building and allows for reuse as an alternative.

Ishpeming has experienced difficulties with small local businesses that cannot compete with the larger box stores that have been developed along the US-41 corridor. Widespread use of the internet and online auction sites such as EBay, have also impaired small businesses. The opportunity for high tech businesses exists within the Ishpeming area.

General commercial areas are located all along the US-41 corridor through the City. The main commercial zone along US-41 is the Country Village. The Country Village offers several options for lodging, dining, entertainment, conference center, camp grounds and many retail options. General retail areas also follow along Lake Shore Drive into the downtown and areas just east of the downtown. There is potential for growth within the general retail districts. The Country Village was one of the large land areas sold off by mining interests and has seen considerable development and provides much needed tax revenue.

Neighborhood commercial areas were intended to encompass businesses which cater to the retail and service needs of the surrounding neighborhoods, but which do not require large areas of land. These areas are generally utilized for what can be termed “mom and pop stores.” One neighborhood commercial area is located along Greenwood Street from Steel Street to east of Sunset Drive. The second area is found west of South Pine Street near Angeline Street. This area could be rezoned to General Residential. A third area is along 3rd Street containing a grocery store. Neighborhood commercial areas could be phased out over time and replaced with a mixed-use development district or a Planned Unit Development.

7.7 Industrial Land Use

Industrial land is intended to preserve land for industrial and related uses, isolated from other types of land uses. There are several areas of land reserved for industrial use in the City, including an industrial park. These areas include:

- West of Lake Shore Drive, south to Excelsior Street; no longer maintains railroad access
- The industrial park occupies approximately 40 acres of land west of Washington Street, bordered on the South by M-28; Industrial Way runs through the park; no rail access in industrial park
- East of Lake Bacon, North of 9th Street-Malton Electric
- North of East Division Street (M-28), along Partridge Creek
- South of East Division Street (M-28) from South 2nd Street to Jasper Street
- North of East Division Street (M-28) from South 7th Street east (the Brownstone Area)
- Howard Oil property located along M-28 (City owned property that is currently used to house the Moose Country Snowmobile Club’s groomer; may be looking to rezone to Residential or Commercial)
- Malton Electric property

7.8 Deferred Development

Deferred development land sets aside larger undeveloped parcels for future development purposes. The district limits unplanned development and intends to delay development until utilities and services can be provided to the area. Nearly 14 percent of the City’s land area is designated as deferred development. These areas include:

- The far northeast corner of the City, to the City limits
- South of US-41, north of Carp Creek, west of and along the railroad
- South of the railroad tracks adjacent to US-41, northeast of Lake Shore Drive continuing east to include the land encompassing the Lake Bacon area, continuing northeast to the City limit

- South of Wabash Street, east of 8th Street, south east to M-28; including a small parcel east of Partridge Creek (north of M-28)
- South west corner of the City; south of Winthrop, east of the railroad tracks south to Saginaw Street and south/west of Saginaw Street/Pine Street intersection to the City limits

The Planning Commission recommends rezoning various areas of deferred development land as development opportunities present themselves.

7.9 Mining District

Just over 44 percent of the City's land area is designated as mining district, the majority of which generally serves as a buffer area between mining and the City. The mining district that encompasses the north east corner of the City is fenced mine property. The south east portion of the City is the buffer area between the Tilden Mine and the City; the mine owns the property and the land is currently vacant. There is potential for future mining development. Other types of land use development should be considered as well.

- **Brownstone Development**

The Brownstone Development is located on the northeast corner of Business M-28 and 7th Street. The land is the site of a former Cliffs Natural Resources (formerly Cleveland Cliffs Iron Company) industrial site. The Brownstone Development consists of approximately 45.6 acres. The City has several parcels available for leasing opportunities. Bell Forest Products is located in the Brownstone Development and school buses for the Ishpeming School District are housed in one of the buildings. Any potential development must be industrial in nature. Development of the site may be limited due to the property's brownfield status.

- **Cliffs Land Purchase**

In March of 2003, the City of Ishpeming purchased several significant parcels of land situated within the City limits. The land was purchased from Cliffs Natural Resources. The land sale consists of approximately 720 acres with parcels of various sizes. The land is located in parts of Sections 2, 3, 10 and 11, T47N, R27W (see Map 5-3).

The largest contiguous area (approximately 600 acres) is located immediately east of the City in Sections 2 and 11 and is bounded on the north by the LS & I Railroad Right-of-Way line, on the south by Division Street, on the west by existing residential development and on the east by the eastern City limits. A report prepared for the Planning Commission and Downtown Development Authority by ECI, in 2006, discusses potential development plan options. The large parcel is unique, due to its adjacent

location to existing development within the City as well as being located within the City limits.

The report notes that there are several man-made features that may limit the development potential of the site including: past underground mining activities, parcel exceptions, leases, existing infrastructure locations, access road connection points, a landfill site, power lines, motorized and non-motorized trails, existing land use, existing zoning districts and the Brownstone Development Area (located in the southwest corner of the Cliffs Land Purchase Area). The Mather "A" mining site is located within the site as well.

The Planning Commission recommends discussion of development possibilities for the Cliffs Land Purchase:

- PUD
- Residential-Recreation
- Other

The majority of the parcel is currently zoned MI-Mining and DD-Deferred Development, with the exception of several parcels zoned I-Industrial. The on-site zoning may need to be revised based on development plans. Rezoning would not be necessary, should the City pursue a Planned Unit Development option.

Issues that may come to the forefront during discussion include the potential high cost of accessibility to the parcels and the limited availability of funding for development. Extending New York Street where it dead ends west to 7th Street may be a viable option to overcome accessibility issues.

7.10 Contaminated Sites

The Michigan Department of Environmental Quality (MDEQ) maintains a listing of sites identified as containing contaminants. Environmental contamination means the release of a hazardous substance, or the potential release of a discarded hazardous substance, in a quantity which is or may become injurious to the environment, public health, safety or welfare.

The presence of hazardous substances at these sites may restrict future development. Sites of environmental contamination in the City of Ishpeming are listed in Table 7-4 below. The Site Assessment Model (SAM) scores are based on a numeric scale reflecting the degree of contamination in ascending order from 0 to 48.

Site Name*	Location	Contaminants	Status	SAM Score**
City of Ishpeming Landfill	North of M-28	Benzene; Ethylbenzene; Phenol; Toluene; TCE; Xylenes	Site is Capped	28
A Lindberg and Sons Excelsior St.	Excelsior St.	Diesel Fuel; Hydraulic Oil; Motor Oil	Interim Response in Progress	15

Source: MDEQ, 2009.

*Site name does not necessarily denote the party responsible for contamination.

Leaking underground storage tanks have resulted in more stringent requirements for the placement of storage tanks. Many aging fuel tanks that complied with the guidelines in place at the time of installation have deteriorated. Fuel may then be able to enter the surrounding soil. Current sites are listed by the MDEQ and are available at the MDEQ's website. These sites will remain listed until corrective action plans begin.

7.11 Issues and Opportunities

- The availability of public and private services, accessibility, existing conditions of the area, and price are other important considerations for residential development.
- The City has taken steps to make improvements in older neighborhoods, such as demolishing dilapidated buildings. Residential development continues to expand in the surrounding Townships, due to the availability of larger lots.
- The City should continue to utilize the Rental Inspection program to insure that rental units are up to code and safe.
- **Commercial land use is concentrated along the US-41 corridor and in the City's downtown area. Access management standards should be followed to alleviate traffic and safety concerns.**
- **Currently local downtown businesses are experiencing difficulty competing with "box stores" located along US-41. Businesses should be encouraged to fill in vacant locations within the central business district.**
- Sites are available in Ishpeming for industrial use.
- The Planning Commission recommends the rezoning of various deferred development lands as development opportunities present themselves.

- The City should continue to pursue clean up of dilapidated buildings through the condemnation process.
- Cleanup of contaminated sites is beneficial to the environment, removing the source of the contamination and reducing the exposure potential now and into the future. Contamination that remains in the ground can infiltrate into structures and may travel offsite onto other properties. Any development in close proximity to former mining sites will need to be thoroughly evaluated before proceeding.
- The City's purchase of the former Cleveland Cliffs property leaves many opportunities for development. The Planning Commission recommends discussing the possibility of a PUD, Residential-Recreation or other uses.
- **The City lost approximately \$55,000 in taxes annually from Cliffs Natural Resources for the former Cliffs Land when purchased by the City. The City needs to pursue development of the purchased Cliffs Land to restore an annual tax base for this property.**