NOTICE OF MEETING
A Regular Meeting of the Leelanau County Planning Commission (LCPC) will be held at 5:30 pm Tuesday, February 23, 2016 at the Leelanau County Government Center.

DRAFT AGENDA

Please Turn off Cell Phones

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- CONSIDERATION OF AGENDA
- CONFLICT OF INTEREST
- PUBLIC COMMENT
- STAFF COMMENTS
- CONSIDERATION OF JANUARY 26, 2016, Minutes pages 2-9
- UNFINISHED BUSINESS
- NEW BUSINESS
  A. PC03-16-07 Kasson Township, Text Amendment pages 10-20
  B. PC04-16-06 Glen Arbor Township, Text Amendment pages 21-43
  C. General Plan Discussion (E. Winkelman) pages 44-45
  D. Capital Improvements Program (CIP)

- REPORTS
  A. Parks & Recreation Committee (Julian)
  B. Heritage Route (Lukomski)
  C. Education Committee (Goldschmidt)
  D. Report from LCPC members of attendance at township/village meetings, or Other Meetings/Training Sessions

- COMMUNICATIONS

- PUBLIC COMMENTS

- STAFF COMMENTS

- COMMISSIONER & CHAIRPERSON COMMENTS

- ADJOURN
A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION (LCPC) WAS HELD ON TUESDAY, JANUARY 26, 2016, AT THE LEELANAU COUNTY GOVERNMENT CENTER IN SUTTONS BAY, MICHIGAN.

CALL TO ORDER
Chairman Will Bunek called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL
Members Present: Will Bunek, Greg Julian, Fred Cepela, Dan Hubbell, Richard Kobetz, Jessica Lukomski, David McCulloch, Jerry Raymor, Eric Winkelman, Steve Yoder

Members Excused: Victor Goldschmidt

Staff Present: Trudy Galla, Kristin Holappa

Public Present: Kathy Egan

WELCOME NEW MEMBERS
New Members, Dan Hubbell and Steve Yoder, were introduced and welcomed to the Planning Commission.

CONSIDERATION OF AGENDA
Winkelman sent a memo to staff on October 25, 2015 regarding making the General Plan more user friendly interfacing on the internet. He would like to briefly discuss the idea as item C. on the agenda Making the General Plan More User Friendly. In addition, he would like to add it as an agenda item to the February agenda.

It was moved by McCulloch, seconded by Cepela, to approve the agenda as modified. On a voice vote, the motion carried, 10 – 0.

CONFLICT OF INTEREST
Bunek referenced section 3.7, #7, in the bylaws. He noted he is on the Bingham Township Planning Commission and votes on issues at a township level. Regarding text amendments and things from Bingham Township that come before the Leelanau County Planning Commission, he stated he can serve as a representative, but cannot vote on those issues according to the bylaws. He noted he would recuse himself from the deliberations regarding Bingham Township.

Bunek noted he would be available to answer questions for clarification purposes, but could not discuss or vote on the issue.

Planning Commissioners agreed by consensus, a conflict of interest exists.

ANNUAL ORGANIZATIONAL ITEMS
A. Election of Officers
(2015 Officers were: Will Bunek – Chair, Charles Godbout - Vice Chair, Victor Goldschmidt – Chair Pro-Tem)

It was moved by Bunek, seconded by Cepela, to nominate Greg Julian as Chair, Victor Goldschmidt as Vice Chair and Bunek as Chair Pro Tem.

2016 Officers of the Leelanau County Planning Commission
Chair: Greg Julian
Vice Chair: Victor Goldschmidt
Chair Pro-Tem: Will Bunek

On a voice vote, the motion carried, 10 – 0.
B. Committee Appointments by Chair

1. Education Committee

Julian appointed the following Planning Commissioners to the Education Committee:

Fred Cepela
Victor Goldschmidt
Jessica Lukomski
Richard Kobetz
David McCulloch

2. Heritage Route Representative

Julian appointed Jessica Lukomski as the Heritage Route representative. Lukomski noted the Heritage Route would be meeting four times per year.

3. Parks & Recreation Representative

Julian noted he would continue as the Parks & Recreation representative.

C. Annual Review of Bylaws

Goldschmidt provided written comments regarding the bylaws.

Winkelman asked if there was anything in the bylaws regarding electronic participation via phone or other electronic media. He would like to open this up for discussion. His personal feeling is that it would be a good idea. Julian asked if there were any other commissions or committees in the county that use this as an option.

Galla said at one point the Brownfield Redevelopment Authority did include this in their bylaws. It was used twice in order to obtain a quorum. It has since been removed from the bylaws. She thought there was a proposed change to the Open Meetings Act to no longer allow it. McCulloch said it is pending. However, he thought the only time it would be of value is if you had a small group, in order to obtain a quorum.

Bunek thought it might come into play where six people show up, and four people can actually pass an action item. A quorum (6) is needed to hold a meeting, but only a majority of the quorum (4) is needed to pass something.

Winkelman decided not to make a motion at this time, regarding electronic participation.

Bunek referenced 4.1B Special Meetings. The Board of Commissioners passed a resolution that there should be a fee of $350 if someone wants to call a Special Meeting.

It was moved by Bunek, seconded by Winkelman, there will be a $350 fee to call a Special Meeting of the Leelanau County Planning Commission.

Discussion

Kobetz asked if for $350 anyone could force a special meeting. Bunek said it would be up to the Chairman or by 2 members of the commission to decide if there would be a Special Meeting or not.

McCulloch suggested $350 was a real bargain for calling a Special Meeting. Raymor noted the Commissioners voted on it. Julian said a higher figure was passed on to the County Board ($750). The commissioners decided on $350. Julian noted we are discussing what should be in the bylaws based on the Board’s decision. Bunek said $350 was based on our actual meeting costs, not the highest amount possible.

On a voice vote, the motion carried, 10 – 0.
Raymor requested an extra line of spacing between items 3 and 4 under Section 3.7. He also found it difficult to determine where the information was regarding the asterisks located at the end of item 6 and 7. He felt the information should be found below item 8.

Planning Commissioners agreed by consensus to move the asterisk below Section 3.7, item 8.

Kobetz discussed putting extra spaces between each of the items 5, 6, 7 and 8, in order to make them easier to read.

Galla suggested staff work on the formatting.

Julian suggested grammatical changes to the bylaws and reformatting could be made by staff.

_It was moved by McCulloch, seconded by Winkelman, to approve the bylaws with the requested revisions, and staff to reformat._

**Discussion**

Cepela asked if the written comments suggested by Goldschmidt had been considered. Galla stated Goldschmidt had mentioned three items, with the first and third not specific changes. The second item was to change the word *resolutions* to *motions* in Article 7, Section 7.1, so it is consistent with an earlier section of the bylaws.

_*It was moved by McCulloch, seconded by Winkelman, to amend the motion to include changing the wording in Section 7.1 to “motions” as part of the requested revisions._*

**On a voice vote, the motion carried, 10 – 0.**

**D. Consideration of 2015 Meeting Schedule and Annual Session Date**

Planning Commissioners discussed the December meeting date of Tuesday the 27th. Galla commented staff would probably have Friday, 12/23/16 and Monday, 12/26/16 off. Galla mentioned in December, the Planning Commission often takes a look to see if there are any action items that need to be heard and either changes the meeting or cancels it. She noted December 20th is the evening meeting of the County Board. Winkelman suggested moving the meeting to either the 6th or 13th of December.

Members briefly discussed options for the December meeting.

Under the statute, Galla noted there is a 30 day time frame for review. She noted a township could always request a later review, and if they do, we ask for a written notification. Otherwise, the county waives its right to review. Meetings can be changed as needed.

Julian suggested moving the meeting forward to December 13th, so as not to interfere with the Christmas Holiday or Winter Break of the month. Bunek also noted a change suggested by Goldschmidt, was to move the meeting start time to 5:30 PM.

Members briefly discussed the meeting time.

Julian noted the 7:00 PM schedule allows the public to go home, eat and then attend a meeting.

_*It was moved by Winkelman, seconded by Lukomski, to approve the schedule, with the change to the December meeting from the 27th to the 13th and the meeting time at 5:30 PM for all meetings in 2016._*

Members briefly discussed the schedule. Bunek discussed the advantage of moving the meetings up to earlier start times, especially in the winter.
On a voice vote, the motion carried, 10 – 0.

PUBLIC COMMENT
None

STAFF COMMENTS
Galla briefly discussed the email she sent out on trainings and requested commissioners let staff know if they are interested in attending any of the trainings. The Annual Session will be at 6:30 PM on 4/20/16. It starts with a social half hour followed by speakers beginning at 7:00 PM with the conclusion by 8:30 PM. It is not considered to be a meeting according to the rules of the County Board, so no per diem is paid.

Galla discussed a session scheduled on April 7th, put on by Opportunity Resource Fund. They will be discussing housing developments in this area and small business loans. The session will begin around 8:30 AM.

Galla mentioned the CIP submittal form to be used by Department Heads was approved by the County Board. The submittal forms need to be turned in by the end of the month. The County Administrator has reminded the departments of the deadline.

Galla noted per diem sheets need to be turned in at least every once quarter. Only the last three months may be paid.

CONSIDERATION OF THE DECEMBER 8, 2015 MEETING MINUTES
Three corrections were requested to the minutes, including the spelling of Jerry Raymor’s name, on page 7, Reports, item D, and the spelling of Fire Board Member, John DePuy’s name, item F. The word camaraderie was misspelled, before the meeting adjournment on page 8.

It was moved by McCulloch, seconded by Bunek, to approve the December 8, 2015 Minutes as modified.
On a voice vote, the motion carried, 10 – 0.

UNFINISHED BUSINESS
None

NEW BUSINESS
A. PC01-16-01 Bingham Township Text Amendments
Bunek will not vote or participate in discussion on this item.

Galla provided a review of the Staff Report. The request from Bingham Township was for an amendment to Article 17 Special Land Use Permits, in order to follow the same permit process in place for regular land use permits. She noted it is always helpful to get a track change copy to see what has been changed in the amendments. The amendment also went through legal review and a track change copy was also provided by the township attorney. She emphasized the importance of seeing the changes, it is helpful to staff, the planning commissions, as well as citizens and township officials. Galla discussed the changes including tracked changes and attorney review.

Galla noted changes were made to several sections that were minor in nature. A question raised by staff as well as Planning Commissioner Goldschmidt was regarding Section 17.5. Letters supporting the special land use were optional and could be submitted. Why would this be submitted with an application? It needs to meet the requirements of the Zoning Ordinance. If you are accepting letters of support, how are you going to deal with letters of opposition for someone’s application?

Cepela asked why the data required and public hearing sections were removed and if they were included somewhere else in the ordinance. Egan commented they were trying to follow the same format in this article as they did for the site plan review process. Some things were rearranged, but they didn’t remove anything unless it was redundant. The Data
Required list was shortened, because some of those items were redundant with what is required and referred to in the site plan review list.

Cepela referenced the new Section 17.13, the owner and their successor, should say the owner and his or her successor.

Written comments were submitted by Victor Goldschmidt. (See attached at end of the minutes.)

It was moved by McCulloch, seconded by Yoder, to pass on to Bingham Township, the Staff Report and Commissioner’s Comments.
On a voice vote, the motion carried, 10 - 0.

B. PC02-16-11 Suttons Bay Township Text Amendments
Galla provided a review of the Staff Report. It was sent out by email the day of the agenda packet. The request was received December 2, 2015 with a request for the county to review the proposed changes at this meeting, January 26, 2016. The township is making several housekeeping amendments (not changing the intent of the ordinance or districts) to Section 3.13 Boundary Fences, 5.2 Uses Permitted by Right in the Residential District, 5.4 Special Uses in the Residential District, 5.4 Special Uses in the Residential District and Section 14.3.2 Conditions for Bed and Breakfasts.

Galla noted staff questioned the reason behind the elimination of “lodges” as a Use Permitted by Right in the Residential District, they are now allowed only in the Commercial District; perhaps this is what the township wants.

Winkelman thought there was an inconsistency raising fences to 6 feet but along the shoreline they can only be 4 feet. The reason they are raising the fences to 6 feet, is because that is what is available in stores. Are they suggesting property owners bury the bottom two feet or cut the fencing down? Why have fences at all along the shoreline, especially on the bay?

Raymor thought it would keep pets in.

Egan noted fences are available from stores such as Lowe’s and Home Depot in three or six foot heights. They were requiring a 5 ft. fence which made no sense, because people would have to make their own fences. They went to 6 ft. fences, because that was what was easily purchased. You can have a maximum 4 ft. fence in the front or set back areas. They don’t want 6 ft. fences in the front yard for traffic visibility. Fences cannot be below the OHWM (Ordinary High Water Mark). People still need to fence in pets and children, stated Egan. She noted the wording for this section was extremely hard to come up with, as far as what they were trying to allow.

Winkelman noted the fences along water are for child protection and pets. Egan commented the OHWM is what the ordinance says right now.

Egan noted they are reviewing the Zoning Ordinance article by article in Suttons Bay Township.

It was moved by Bunek, seconded by Winkelman, to pass on to Suttons Bay Township, the Staff Report and Commissioner’s Comments.
On a voice vote, the motion carried, 10 - 0.

C. Making the General Plan More User Friendly
Winkelman asked to make this item part of the meeting for February and for it to be included in the Agenda packet. Following the February meeting, it could then be forwarded to the Education Committee, if it warrants continued consideration.

Winkelman’s suggestion includes making the General Plan more interactive on the web. For the February Meeting he would like staff to distribute a copy of the memo he has written to the commission.
Cepela asked when the General Plan is due to be reviewed. Galla said in 2017. Cepela suggested making it part of the five year review. Winkelman said his idea is not to change what is in the plan, but to include additional formatting on the web. He believes it will make the plan more accessible. He did not believe there was anything in the ordinance prohibiting review before five years. He noted a review needs to be made every five years, at the minimum. He suggested a separate section be set up for demographics so as new demographics come in only that section could be changed. He thought it could be examined at the next meeting and if the commission thinks it has merit it could be pursued.

McCulloch clarified the intent tonight is to get it on the agenda next month. Cepela briefly referenced a session he attended about making your plan more internet friendly.

Julian requested staff add the suggestion proposed by Winkelman to the agenda next month.

Galla said under the statute, the General Plan is required to be reviewed minimally every 5 years. A review can be conducted and it could be determined that there are no updates needed. If the commission decides to do that Galla suggests the commission amends the plan through that date, so five years later it doesn’t look like a 10 year old plan. Bunek said we can make changes whenever we want, and if we look at it and make these changes, we can say this is our next five year plan. Cepela commented the last review was a major project and it took a considerable amount of time. Julian noted it will be addressed next month.

REPORTS

A. Parks & Recreation Committee
Julian noted Parks & Recreation met in January. The Buildings & Grounds is working on Myles Kimmerly Park. There are a lot of activities in the park and they could use upgrades. They have hired an architect to come up with a Master Plan layout for the park upgrades. There is a meeting scheduled on February 3, 2016 at 7 PM. They are looking for representation from soccer, baseball, soccer, tennis, disc golf and 4H to discuss a wish list. They want to get all of the ideas down on paper. The school and other organizations have been contacted. Instead of picking at things one at a time, it is felt they need more of a plan. They are working with the Land Information Access Association (LIAA). Julian is Chairman of Parks & Recreation for the coming year.

B. Heritage Route
Lukomski stated the Heritage Route Committee met and discussed an update on the Sleeping Bear Heritage Trail which will finish this spring at Bohemian Rd. After this section is completed, they have no additional plans. The last two sections on either end are in abeyance. It is also the last section to involve MDOT. The trail may only go to the old barn. Julian referenced the opposition to the section by Little Traverse Lake.

Lukomski discussed Scenic Heritage Route signage including M109, M22 and M204. There is a proliferation of large signs, with Pure Michigan on the top. The state passed PA 299 which states who can have a sign. They are directional signs for tourists, not advertising. The point of interest has to be off of the main road, with the purpose of the sign to help with location. The state has given compliance to a for profit business, who makes $350 per sign per year. The committee is discussing how to be the group who approves the applications to be on the sign. She mentioned Networks Northwest hosts the website and not-for-profit organizations may link to their website.

C. Education Committee
The Education Committee did not meet. Goldschmidt provided a brief written report. (See attached.)

D. Report from LCPC members of attendance at township/village meetings
Julian attended the Fire Board meetings regarding the four township partnership for fire and emergency services. The new board of the Cedar Fire Dept. will take over on April 1, 2016. Each township has a quarter share. It has a five member board. Julian is the Vice Chair.

COMMUNICATIONS
The new 2016 Travel Expense Voucher is available.
PUBLIC COMMENTS
None

STAFF COMMENTS
None

COMMISSIONER & CHAIRPERSON COMMENTS
Hubbell commented he is glad to be on the Planning Commission.

Bunek said it looks like there will be a primary for District 1 for County Commissioner with the final vote in August.

Winkelman asked if the term would go until the end of the year. Bunek said they would be in the August Primary and then the November General Election.

Winkelman commented it is a pivotal year for the county as well as the nation.

Julian noted regarding Parks & Recreation meeting at 7PM on 2/3/16, input is being accepted. Myles Kimmerly is a well-used park. There is support from the County Board to stay on top of it and keep it a premier park.

It was moved by McCulloch, seconded by Bunek, to adjourn the meeting. The meeting adjourned at 8:20 PM.

Written Commissioner Comments
Victor Goldschmidt
Comments on the Bylaws.

Section 4.4 fortunately reads as a “should”; not as a “shall”. Robert’s Rules of Order state otherwise. A direct quote from Robert’s Rules of Order, Simplified and Applied, ISBN 0-7645-6399-8, Chapter 3, states, in part: “… An idea is not discussed first and then a motion is made; instead a motion is made and then the idea is discussed. …” The logic for this is simple – a) it focuses the discussion; b) the motion can be amended to perfect it. Please note that Article XIII almost fully mandates the use of Robert’s Rules of Order.

RECOMMENDATION: Consider to amend our bylaws for consistency at a later date.

Section 7.1 says the Chairperson “shall vote on all resolutions…”; earlier in section 3.6 is states that the Chairperson is to vote on all matters (last) for which there is no conflict of interest. Motions and Resolutions are different. The Bylaws do not attempt to clarify. A motion covers all things calling for a vote. However a motion can be presented via a resolution. These start by the words “Resolved that…..”, and may be preceded by a preamble with paragraphs starting with “Whereas…”, and then “therefore be it resolved that…” The main difference is that resolutions are main motions requiring careful wording and explanation. Some think Resolutions must be voted via a roll-call. There is no record of that in my version of Robert’s Rules.

RECOMMENDATION: Inasmuch as Resolutions are always Motions, and some motions are not necessarily Resolutions; amend 7.1 by changing “all resolutions” to “all motions”

Section 8.1 Authorizes the Commission to appoint ad-hoc advisory committee for the Board of Commissioners; I gather this does not imply that any and all ad-hoc advisory committees should be proposed by the Commission.

RECOMMENDATION: Keep awareness of this authority, and allow the Board of Commissioners to be also cognizant of it.
Meeting Times for Regular Meetings

I am a strong supporter for the 5:30pm start time for meetings. For two reasons:

a) It is better for staff, as currently with a 7pm start they do not go home between work and our meeting

b) It reduces some of the danger of late-night driving; primarily for the winter months.

Education Committee Report

- Our first “hit” is planning for the Annual Planning Session. We are considering a meeting with three major foci: a) update on signage regulations; b) update on new regulations and hot items; c) “training” on parliamentary procedures in support of Township and Village governance.

- Presently we are in the process of determining availability of a speaker, and in turn of key officers.

- We will follow-up on the data resulting from the last planning session, starting with a review of what ordinances say about minimum footprint for buildings.

- Work continues in the perfection of the CIP process.

Comments on Article 17 Amendments

17.8 ??

I would strongly discourage the review of a Pre/Application by the Planning Commission. That is the job of the Zoning Administrator; to review what is proposed and make recommendations. A review by the Planning Commission would have to be on an Open meeting (opening a can of worms), and without a complete statement of facts by the zoning administrator the Planning Commission should not be acting, nor suggesting, or hinting at potential approval or whatever. Any comments by the Planning Commission (without a professional statement of facts to assure compliance with all standards) could lead to incorrect expectations by the applicant.

Incidentally, a later section “Review Process” specifies the correct procedure – and correctly ignores granting the applicant the opportunity for a preamble with the Planning Commission.

17.8 D. B.

Oooooops… “letters of support”?? Since when is the process of approval not solely dependent on compliance to what is in the ordinance, but also to “public support”? This is dangerous.
Section 1: General Information

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<thead>
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<th>Date Request Received:</th>
<th>February 9, 2016</th>
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<tr>
<td>Last Day of Review Period:</td>
<td>March 9, 2016</td>
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<tr>
<td>Requested Action:</td>
<td>Review and comment on a proposed amendment to the Kasson Township Zoning Ordinance.</td>
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<tr>
<td>Applicant:</td>
<td>Kasson Township Planning Commission</td>
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<td>Tad Carter, Chairman</td>
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Section 2: Proposed Text

The proposed Zoning Ordinance Amendment was submitted by email on February 9, 2016 and will decrease the minimum size under Section 4.7.3

Link to the Kasson Township Zoning Ordinance – for ‘current text’:
http://www.leelanau.cc/kassontwpord.asp

Section 3: Other Planning Input

Township Plan: The Kasson Township Master Plan (2014) does not specifically address the proposed amendment for a decrease in the minimum lot size.

Leelanau General Plan: The Leelanau General Plan (2012) does not specifically address the proposed amendments. It does point advocate for many land use decisions, such as minimum lot sizes, to be made at the local level.

Township Planning Commission: A public hearing was held on October 19, 2015 and the Kasson Township Planning Commission passed a motion to change the minimum lot size from 10 acres to 5 acres in the Forested District, and to send this amendment to the County Planning Commission. (See Appendix for copy of the Minutes).

Section 4: Analysis

<table>
<thead>
<tr>
<th>1. Compatibility</th>
<th>Yes</th>
<th>No</th>
<th>NA</th>
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<tbody>
<tr>
<td>A. Is the proposed text <strong>compatible</strong> with other language in the zoning ordinance?</td>
<td>X</td>
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### B. Are there any issues with the proposed text (such as poor wording, confusing text, unenforceable language, etc.)?

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<td></td>
<td>X</td>
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### C. Do the land uses or other related dimensional standards (height, bulk, area, setback, etc.) in the proposed text amendment(s) conflict with the existing zoning ordinance?

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<td></td>
<td>X</td>
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### 2. Issues of Greater Than Local Concern

| A. Does the proposed text amendment(s) include any issues of greater than local concern?   Please list. |
|---|---|
|   | X |

### 3. Comparison with Local Plans or Ordinances

| A. Do the contents in the proposed text amendment(s) conflict with the community’s plan? Please list. |
|---|---|
|   | X |

### 4. Comparison with County Plans or Ordinances

| A. Do the contents in the proposed text amendment(s) conflict with the General Plan? Please list. |
|---|---|
|   | X |

### Section 5: Staff Comments

The Leelanau County Planning Commission, per the Michigan Zoning Enabling Act, has 30 days to ‘review and recommend’ on a township amendment. This Amendment was received February 9, 2016, by email.

Kasson Township has proposed a change to the Forested District (FR). The purpose and intent of this district is to preserve the forest and wood lots, the dominant land cover of the Township, while allowing a wide range of uses in such ways that will not detract from this end. To the greatest degree practicable, the integrity and contiguity of forest lands shall be maintained.  

The township has proposed decreasing the Minimum Parcel Size in Section 4.7 Forested District (FR), Section 4.7.3 Development Standards. Section 4.7.3 current reads as follows:

**SECTION 4.7.3 DEVELOPMENT STANDARDS**

| A. Minimum Parcel Size: Ten (10) acres; or one dwelling unit per five (5) acre density, with seventy (70%) percent permanently preserved unbuilt reserved land in accordance with Section 4.11, Planned Development. |
|---|---|
| B. Minimum Project Area in a Planned Development: twenty (20) acres. |
| C. Minimum frontage: 330 feet |

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<th>Dwelling and Accessory Uses</th>
<th>All other uses</th>
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<tr>
<td>D. Minimum front setback</td>
<td>50 feet</td>
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<tr>
<td>E. Minimum side setback</td>
<td>25 feet</td>
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<tr>
<td>F. Minimum rear setback</td>
<td>50 feet</td>
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<tr>
<td>G. Maximum height</td>
<td>35 feet</td>
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</table>

or as approved in a Planned Development.

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1 Kasson Township Zoning Ordinance, Section 4.7
Prior to the adoption of the 1997 zoning ordinance, Kasson Township did not have a ‘Forested District’. The Forested District was a new district added when the 1997 zoning ordinance was adopted, and the 10 acre minimum parcel size was established. Section 4.7.3 does provide for one dwelling unit per five acre density, with 70% percent permanently preserved unbuilt reserved land (as noted above). For a 10 acre minimum parcel, that would allow two (2) dwellings, provided 7 acres of the property was permanently preserved and unbuilt upon.

The Forested District covers more than just woods. The Future Land Use Map for the Township (see Appendix) shows the area covering lands which are wooded, as well as open fields and some agricultural uses.

There was one comment at the public hearing by a citizen who was 100% in favor of the change.

Recent meetings of the Housing Task Force included discussion on what can be done at the local level to encourage construction of more types of housing, and lower the cost for the homeowner. Smaller lot sizes were discussed, as land in Leelanau County adds a good deal to the cost of a home. Decreasing the minimum lot size from 10 acres to 5 acres in the Forested District may not have a huge impact on the lack of housing choices for residents. However, it does cut in half the required lot size and that may be a positive move for farmers or large land owners who would like to deed a parcel to a family member, or sell off a parcel. It also makes the minimum lot size and the setbacks in the Forested District the same as what is required in the Agricultural District, and what is required in the Gravel District (allows uses from the Ag District). The minimum frontage must be 330 feet so to reach a minimum lot size of 5 acres, the parcel would need to be a minimum of 330’x 660’. This would also meet the requirement of the Land Division Act which does not permit a parcel to be more than 4 times as deep as it is wide (Section 560.109 PA 288 of 1967, as amended).

Although the township has reduced the minimum lot size, they have not addressed the percentage of permanently preserved unbuilt reserved land in Section 4.7.3. A. The township may wish to revisit that section to see if additional changes are needed.
APPENDIX

- Submittal email
- Approved Minutes from the Public Hearing
- Map from Kasson Township Master Plan
Trudy,

Minutes of public hearing and adoption are attached. Refer to the Public Hearing in section 6 (b) on page 2.

The motion was admittedly a bit informal. So, I’ve added an excerpt from the ordinance with the strikeout.

**SECTION 4.7.3 DEVELOPMENT STANDARDS**

A. Minimum Parcel Size: Ten (10) acres; Five (5) acres; or one dwelling unit per five (5) acre density, with seventy (70%) percent permanently preserved unbuilt reserved land in accordance with Section 4.11, Planned Development.

Background for County Commissioners:

- This now makes the minimum parcel size consistent across all zoning districts.

- The commission chose to defer discussion about the second half of the section until a later time. Under a 10 acre minimum, the second half of the section allows for double the density if a parcel was developed as a PD. Now with the current proposed reduction, there is no density advantage to a PD.

- Lastly, the Commission has recognized the relationship between lot size and its relationship to “affordable housing”. They have also have discussed reducing the minimum square footage for dwelling units, although there has been no formal action on that topic.

Trudy, my observation and interpretation of Commission discussions and actions is that the Commission, as a whole, is friendly toward actions that supports the cause of “affordable housing” — again, just my observation and conclusion.

If you have any questions or need any more documentation, please call.

Chuck Schaeffer
231-228-6060
A regular meeting of the Kasson Township Planning Commission was held in the Kasson Township Hall on Monday, October 19, 2015 for the purpose of conducting the regular monthly business of the Commission and to hold a Public Hearing on the matter of amending the Township Zoning Ordinance relating to reduction of the minimum lot size in the Forested District from 10 acres to 5 acres.

1. Call Meeting to Order/Pledge of Allegiance
   The meeting was called to order at 7:00 P.M. by Chairperson Tad Carter. The Pledge of Allegiance was recited.

2. Recognition of Visitors and Roll Call of Commissioners
   Visitors Present:
   Mike Lanham (Township Zoning Administrator);
   Fred Lanham (Township Supervisor);
   Patrick Buday – Tremain Rd.

   Commissioners present (roll call): Jim Anderson, Tad Carter, Dana Boomer, Gerry Roush, and Roger Noonan.

   Absent: Jim Moses (Excused)

3. Consideration of Agenda: Additions or Deletions
   Additions or Deletions: None

   Moved by: Noonan Seconded by: Boomer to approve the agenda, as submitted,
   Ayes: All.
   Motion carried.

4. Approval of Minutes – September 21, 2015
   Corrections:
   Section 7B – add “Boomer” after “Commissioner”
   Section 9A – “Noonan” should be “Lanham”
   Section 10C – correct spelling of “tem” to “term”; add “meeting” to the end of the sentence
   Section 13 – remove “Newman, Elmers Hulbert, Leelanau Excavating”

   Moved by: Noonan Seconded by: Roush to approve the minutes as corrected,
   Ayes: Carter, Boomer, Noonan, Roush
   Nays: None
   Abstain: Anderson (not present at this meeting)
Motion carried.

5. Declaration of Conflicts of Interest

Noonan Item 8(A). Mr. Miller stores boats in a building owned by Noonan.

6. Public Hearing

a) Motion to open the Public Hearing

Moved by Boomer Seconded by Noonan to open the Public Hearing.
Ayes: All
Motion: Carried.

b) Discussion on proposed change to zoning ordinance

1. Presentation by Commission Chair. Carter indicated that this hearing was on a proposal to change the minimum parcel size from 10 acres to 5 acres in the Forested District.

2. Report from Zoning Administrator. Carter asked Zoning Administrator Lanham if he had any comments. Lanham had none.

3. Carter asked the commissioners if they saw any problems with other areas of the Ordinance if this proposed change was made. No comment by commissioners

4. Public Comment. Carter asked if there were any comments from the public. Mr. Buday of Tremain road indicated he was in favor of the change, “100%”

5. Discussion by Commission. Carter asked for discussion by the commissioners. There was none.

6. Vote by the Commission

Moved by Anderson Seconded by Roush to change minimum lot size from 10 acres To 5 acres in the Forested District.
Ayes: All
Motion: Carried.

7. Resolution to recommend to the County Planning Commission

Moved by Boomer Seconded by Roush to send this amendment to the County Planning Commission for their comment.
Ayes: All
Motion: Carried.

c) Motion to close the Public Hearing

Moved by Noonan Seconded by Anderson to close the Public Hearing
Ayes: All
Motion: Carried.

7. Correspondence Received

None.

8. Reports

a) Township Board – Commissioner Noonan. Two Planning Commissioners terms are up in November – Moses and Boomer. Noonan asked for letters of intent from them. Since the Board has already decided to reduce the Commission to five from seven, only one seat will be filled. If both current Commissioners wish to continue, one could be named as an alternate. Commissioner Anderson asked reasoning for the reduction? Noonan replied that they have had difficulty in finding applicants to keep the Commission at seven members.

Noonan also reported that the Township Board has rescinded the marijuana grow house licensing ordinance. They are waiting for Federal and State legislatures to clarify the situation

b) Zoning Board of Appeals – Commissioner Boomer. No report.

c) Zoning Administrator’s Report. During September he issued 4 new Land Use Permits with a value of $11,000. Fees for three of those permits were doubled since those owners had not secured permits before commencing construction. Lanham further reported that he took approximately 16 phone calls and 6 emails and 8 text messages. He accepted two private road applications - Baatz Road – Chestnut Ridge (Brad Dyksterhouse), and Burdickville Road - Cloninger Farms (Brian and Emma Cloninger),

Had a brief discussion with Deering Tree Service about moving certain piles.

He spoke with Andy Miller and gave him an application for modification to his Special Use Permit in order to expand. He further discussed with Miller about storing boats outside of the fenced area.

Lanham said he would be out of town for several weeks preceding the next meeting. If anyone receives a complaint, please refer the person to him.

Carter asked if there had been any communications from the Township Attorney regarding the Deering situation. Lanham replied that the sound expert should be here perhaps next week since tub grinder has been reinstalled.

9. Comments From Planning Commissioners

Commissioner Noonan expressed concern that 3 of 4 last month’s Land Use Permits were doubled (as fines) for permits after completion. Township residents need to know we have a Zoning Ordinance, and further thinks that the fine for not getting a permit should be more than double. Lanham indicated that the Zoning Ordinance specifies that the “fine” is double the usual cost of a Land Use Permit, but it is the Township Board that sets the usual cost.

Chairman Carter reflected that when the Commission first indicated that Deering’s needed to construct a berm, that the Commission dropped the ball on enforcing its decision. Commissioner Noonan noted that they did build a berm on the west and south sides of the property. ZA Lanham said that when they
go to the ZBA they will be required to place berms twice as high as the Ordinance specifies. Also the 
berms that are there now are wood chips, and according to the sound expert, the chips are better at 
sound absorbing than dirt plus trees. Carter observed, and Lanham agreed, that we have not had the 
dust issues that were common two-three years ago.

10. Old Business

A. Miller Marine SUP review

The business is in the Gravel District. Their SUP issued somewhere from 2006-2008. This SUP 
does not expire since it is not for a gravel operation. Chairman Carter asked to see the SUP 
wording. Chuck Schaeffer was a commissioner at the time and recalled that the gate was added 
after the SUP approval with the explanation that the Fire Department required one for access. 
Further, there were violations shortly following the SUP where they were storing boats (long term) 
outside the fence in front of the building. Carter asked if there was a process in place to deal with a 
continual offender? Can the permit be taken away? (yes). ZA Noonan-Lanham does not think the 
level of complaints has reached that point. He suggested a schedule, like was done with Leelanau 
Redi Mix, to come into compliance. Carter says if he does not comply the SUP should be rescinded. 
Lanham thinks that the Commission will have an application for a new SUP by its December 
meeting.

11. New Business

None.

12. Comments from the Public.

Mr. Buday asked about the Marijuana ordinance – who in the Township checks on these businesses, 
and is it public knowledge where these are?. Zoning Administrator Lanham says that medical 
marijuana falls under the HIPPA laws so they are outside of Township control. We know where they 
are, of course. There are currently two operations that we know of. However there are certainly more. 
Buday asked if they were legal? Commissioner Roush suggested a call to TNT might answer that.

Buday also asked about a junk ordinance. Lanham replied that we have a Nusiance Ordinance. Buday 
asked if it covers junk in a yard that can be seen from the road? Lanham replied, “yes” and that he 
would get Buday a copy of it. The Ordinance does not cover vehicles. Roush said that currently there 
is no county ordinance covers this.

13. Next Meeting:

November 16, 2015, 7:00 PM, Township Hall.

14. Adjournment

Moved by: Roush Seconded by: Boomer to adjourn the meeting.
Ayes: All.
Motion carried.

The meeting was adjourned at 7:30 PM.
Chuck Schaeffer
Recording Secretary
Kasson Township Planning Commission
KASSON TOWNSHIP

FUTURE LAND USE MAP

LEGEND

Future Land Use Districts
- Agricultural
- Forested
- Gravel
- Commercial
- Planned Development
- Special Purpose
- Village

MAP FOR REFERENCE PURPOSES ONLY
Data from Kasson Township
Prepared by Leelanau County
Planning & Community Development
September 2003
Section 1: General Information

<table>
<thead>
<tr>
<th>Date Request Received:</th>
<th>February 10, 2016</th>
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<tbody>
<tr>
<td>Last Day of Review Period:</td>
<td>March 10, 2016</td>
</tr>
<tr>
<td>Requested Action:</td>
<td>Review and comment on proposed amendments to the Glen Arbor Township Zoning Ordinance.</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Glen Arbor Township Planning Commission</td>
</tr>
<tr>
<td></td>
<td>Lance Roman, Chairman</td>
</tr>
</tbody>
</table>

Section 2: Proposed Text

The proposed Zoning Ordinance Amendment was submitted by email on February 10, 2016 and covers several amendments to the zoning ordinance.

*Link to the Glen Arbor Township Zoning Ordinance – for ‘current text’:*
http://www.glenarbortownship.com/planning-and-zoning/zoning-ordinance

Section 3: Other Planning Input

*Township Plan:* The Glen Arbor Township Master Plan (2013) does not specifically address the proposed amendments.

*Leelanau General Plan:* The Leelanau General Plan (2012) does not specifically address the proposed amendments.

*Township Planning Commission:* A public hearing was held on February 4, 2016 and the Glen Arbor Township Planning Commission passed a motion to forward the suggested ordinance changes to the County. Motion passed unanimously. *(See Appendix for copy of the Minutes).*

Section 4: Analysis

<table>
<thead>
<tr>
<th>1. Compatibility</th>
<th>Yes</th>
<th>No</th>
<th>NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Is the proposed text <strong>compatible</strong> with other language in the zoning ordinance?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Are there any issues with the proposed text (such as poor wording, confusing text, unenforceable language, etc.)?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
### Section 5: Staff Comments

The Leelanau County Planning Commission, per the Michigan Zoning Enabling Act, has 30 days to ‘review and recommend’ on a township amendment. This Amendment was received February 10, 2016, by email.

Glen Arbor Township has proposed six (6) changes to the zoning ordinance:

1. Definition change of setbacks – measure from drip edge
2. Definition of campground and recreational unit
3. Section VII.1.1 use regulations to include campgrounds
4. Definition of site and plot plans
5. Procedures for Site Plan Requirements, Review, and Approval
6. Definition change of structure – add decks and fences

1. Definition for **set-back from edge of pavement** has been modified to include the words “measured from drip line or eave edge”. Definition for **set-back lines** has been modified to delete “building” so it refers only to a “structure”, and now includes the words “measured from drip line or eave edge”. These changes clarify that a setback will be measured from the drip line or eave edge of a structure.

2. The following definitions are being added to the zoning ordinance, Article II Definitions:

   **campground**: A parcel or tract of land under control of a person or business entity in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for recreation. Campground does not include a seasonal mobile home park licensed under the mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349. All campgrounds must meet state regulations and requirements regardless of size.

   **recreational unit**: A tent or vehicular-type structure, primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors.

3. Article VII, Recreational Districts, has been modified to include “campgrounds” as a use.
4. The following definitions are being added to the zoning ordinance, Article II Definitions:

**Plot plan:** The drawings and documents depicting and explaining all salient features of a proposed development that requires a land use permit.

**Site plan:** A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance. A plot plan depicts a subset of the information required by this Ordinance for a site plan.

5. New text is being added under **Article XIV Administration** for Procedures for Site Plan Requirements, Review, and Approval (Section XIV.7 through XIV.10). These new Sections will replace the existing Section XIV.7 – Section XIV.9.

6. The definition for **Structure** is proposed to be modified as follows:

**Structure:** Any constructed or erected material or combination of materials built or placed in or upon the ground including: buildings, **dwellings**, garages, sheds, storage bins, **decks**, **fences**, signs, towers, or other like objects; but excluding, **fences**, **driveways**, parking areas, sidewalks, boardwalks, **at grade** patios, **decks**, steps, retaining walls, docks, flagpoles, mailboxes, and other similar objects.

The definition clarifies that a ‘structure’ also includes dwellings, decks, and fences; and then excludes the list above which has been modified to exclude, driveways, and at grade patios.

The major change the Township has proposed is to Article XIV Administration. The Township is replacing current text with new Sections. Current text from the zoning ordinance which is being replaced, is attached in the Appendix and highlighted in yellow.

The new Section XIV.7 A. lists the uses which will require Site Plan approval by the Township Planning Commission before a Land Use Permit is issued. Item B. provides for the Zoning Administrator to approve plot plans, prior to issuing a Land Use permit, for any uses not included in Section XIV.7 A. Item C. is a detailed Chart which shows the Required Data, Property Information, Structure Information and Additional Information that is required, for either the Planning Commission Approval, or the Zoning Administrator’s Approval. This chart provides a good, visual that can be used as a checklist by an applicant. The requirements are expanded from the list in the current zoning ordinance. Language has also been included as to what can NOT be waived, and a process for waivers. **Note:** There is a ’Section To Be Determined (TBD)’ which is mentioned after the chart.

The new language includes procedures for submittal, distribution, review, and action on a Site Plan. The Township has included text that a decision by the Planning Commission shall be made within 60 days of receipt of the completed application unless an extension of time is necessary to review information. This language provides some assurance to the applicant of ‘when’ a decision will be made.

The new Section XIV.8 Site Plan Review and Approval Standards lists the applicable provisions in the Ordinance than must be adhered to. **Note:** There is a ’Section To Be Determined (TBD)’ for **Landscaping and Screening** that is listed under Section XIV.8 B.

Section XIV.8 Item K refers to public and private roads. Private roads, according to the Leelanau County Address Ordinance, are roads which service 5 or more dwellings and applications for naming the road and assigning addresses are done through the Planning & Community Development office. It would be beneficial to have some language in the zoning ordinance that refers to this, so an
applicant starts the process early with the Planning office. Many times, roads have been named and approved as part of a Site Plan or PUD, only to find out later the names are duplicates in the County Master Street Address Guide (MSAG), and can not be allowed. This may be avoided by adding the department under Site Plan Review Procedures, A. Submittal and Distribution of Site Plans.

Section XIV.10 Changes and Appeals provides language for Major or Minor changes to an approved Site Plan, Amendments to a Plot Plan, Appeals, and Circuit Court Review. Section XIV.10 provides language for Notices of Public hearings.

The proposed language for Section XIV is more detailed and extensive than the current language plus it provides for changes, amendments and appeals to approved plans. The chart is also a useful addition to this section of the zoning ordinance.
Appendix

- Submittal email
- Public Hearing Notice
- Agenda and Proposed Changes
- Minutes from the Public Hearing
- Current Sections of the Zoning Ordinance RE: Article XIV Administration
Hi Trudy,

Attached is a zip file with all of the info for Proposed Glen Arbor Township Zoning changes after the Public Hearing we had last Thursday.

It should be self explanatory, but don’t hesitate to contact me with any questions.

Regards,

Lance
PUBLIC HEARING NOTICE
REGULAR MEETING NOTICE

The Glen Arbor Township Planning Commission will hold a public hearing followed by a regular meeting at:

7:00 p.m. on Thursday, February 4, 2016

in the Glen Arbor Township hall at 6394 W. Western Avenue, Glen Arbor, Michigan 49636 to consider proposed amendments to the Glen Arbor Township zoning ordinance.

The purpose of the Special Meeting is to:

1. Hold a public hearing on proposed amendments to the zoning ordinance.
   a. Definition change of setbacks – measure from drip edge
   b. Definition of campground and recreational unit
   c. Section VII.1.1 use regulations to include campgrounds
   d. Definition of site and plot plans
   e. Procedures for Site Plan Requirements, Review, and Approval
   f. Definition change of structure – add decks and fences

2. Consider recommending the proposed amendments to the township board for adoption with or without modification.

A copy of the text of the proposed zoning ordinance amendments is available for inspection at the Glen Arbor Township office, 6394 W. Western Avenue, Glen Arbor, Michigan 49636 during regular business hours and on line at http://www.glenarbor township.com/planning-and-zoning/zoning-ordinance/archived-zoning-ordinances/

For more information, contact Tim Cypher, Zoning Administrator, at 231-360-2557.

Members of the public are invited to attend the public hearing and comment on the proposed zoning ordinance amendments. Written comments may also be submitted to the Planning Commission at 6394 W. Western Avenue, Glen Arbor, MI 49636. Written comments must be received by 5:00 p.m. on Tuesday, February 2, 2016.
7:00 Roll Call for Public Hearing of Z & P

Approve Agenda

1. Definition change of setbacks – measure from drip edge
2. Definition of campground and recreational unit
3. Section VII.1.1 use regulations to include campgrounds
4. Definition of site and plot plans
5. Procedures for Site Plan Requirements, Review, and Approval
6. Definition change of structure – add decks and fences

Public Comments

Commission Member Comments

Adjourn
ARTICLE II DEFINITIONS

SECTION II.2 DEFINITIONS

**Set-back from edge of pavement:** Shall mean the distance from a structure, *measured from drip line or eave edge*, to the right-of-way of a highway, road, or ingress/egress easement.

**Set-back lines:** Shall mean lines established parallel to a property line along highway or waters edge for the purpose of defining limits within which no *building or structure or any part thereof, measured from drip line or eave edge*, shall be erected or permanently maintained.
ARTICLE II DEFINITIONS

SECTION II.2 DEFINITIONS

campground: A parcel or tract of land under control of a person or business entity in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for recreation. Campground does not include a seasonal mobile home park licensed under the mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349. All campgrounds must meet state regulations and requirements regardless of size.

recreational unit: A tent or vehicular-type structure, primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors.
ARTICLE VII RECREATIONAL DISTRICTS

SECTION VII.1.1 USE REGULATIONS
A building or premises in this District shall be used only for the following purposes:

A. Any use permitted in the Resort District as described in ARTICLE VI of This Ordinance.
B. Private clubs with or without lodging and/or dining facilities, private summer camps, and schools, whether non-profit or operated for profit.
C. Outdoor recreational facilities, such as golf courses, ski slopes and lifts and marinas.
D. Municipal and Governmental buildings.
ARTICLE II DEFINITIONS

SECTION II.2 DEFINITIONS

Plot plan: The drawings and documents depicting and explaining all salient features of a proposed development that requires a land use permit.

Site plan: A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance. A plot plan depicts a subset of the information required by this Ordinance for a site plan.
ARTICLE XIV  ADMINISTRATION

WILL REPLACE EXISTING SECTION XIV.7 - SECTION XIV.9

SECTION XIV.7 REQUIREMENTS FOR SITE PLAN
It is the purpose of this article to specify standards, data requirements, and the review process which shall be followed in the preparation of site plans and plot plans as required by this Ordinance.

A. Planning Commission Approval for Site Plans: Site plan approval is required by the Planning Commission (PC), prior to the issuance of a Land Use Permit, for the following land uses, including modifications to the location of perimeter walls or outdoor use areas of such existing uses:

1. All new uses by right within the Business zoning district.
2. All uses by right, excluding single family dwellings, where one or more of the following conditions exist:
   a. The building site exceeds slopes of thirty-three (33) percent.
   b. The proposed development is required to meet the provisions of one or more of the following:
3. All special land uses, as specified in each zoning district, including planned unit developments, whether a new development or a change of use, except as otherwise specified by this Ordinance.

B. Zoning Administrator Approval for Plot Plans: Plot Plan approval is required by the Zoning Administrator, prior to the issuance of a Land Use Permit, for all other uses not listed above, including any change of permitted use meeting the minor change criteria. The Zoning Administrator shall review such plans in accordance with the same procedures, requirements, and standards used by the Planning Commission as specified in Section XIV.8.
C. Plot Plan and Site Plan Data Required

<table>
<thead>
<tr>
<th>Required Data Description</th>
<th>Plot Plan ZA Approval</th>
<th>Site Plan PC Approval</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td><strong>Contact Information</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>for Applicant and Owner (if different)</td>
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<tr>
<td><strong>General Information</strong></td>
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<tr>
<td>Vicinity sketch showing site relationship to surrounding streets and land uses within 300’</td>
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<td>X</td>
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<tr>
<td><strong>PROJECT DESCRIPTION</strong></td>
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</tr>
<tr>
<td>Description of proposed uses of structures and land</td>
<td>X</td>
<td>X</td>
<td>Basic project description can NOT be waived</td>
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<tr>
<td>Number of dwelling units, sleeping rooms, occupants, employees (by shift), other users</td>
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<td>Number of square feet, total usable floor area</td>
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<td>Location, quantity and type of recreation and open space</td>
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<tr>
<td>Outdoor gatherings – description and anticipated participant levels</td>
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<td></td>
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<tr>
<td><strong>Property Information</strong></td>
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<tr>
<td>Location, shape, area, dimensions</td>
<td>X</td>
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<td>Readable scale drawing</td>
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<tr>
<td>Property survey (including dimensions) and legal description, prepared and sealed by a professional surveyor</td>
<td>X**</td>
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<td>Only the survey can be waived or modified</td>
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<td>Yard, open space, parking lot and space dimensions, number of parking spaces, and loading areas</td>
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<td><strong>ROADS, DRIVEWAYS AND EASEMENTS</strong></td>
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<td>Driveways, parking and vehicle stacking areas when required</td>
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<td>Drainage – county drains and site drainage</td>
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<td>Easements and deed restrictions for existing public or private rights-of-way</td>
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<td>X**</td>
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<td>Proposed streets and alleys</td>
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<td>Proposed traffic control measures</td>
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<tr>
<td><strong>UTILITIES</strong></td>
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<tr>
<td>Location of any well, septic system, drain field, and/or temporary sanitary facilities</td>
<td>X</td>
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<td>Storm drainage and storm water management plan, including drains, dry wells, catch basins, retention/detention areas, point of discharge for drain</td>
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<td>Location of all utilities</td>
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<tr>
<td>Lighting – location, area of illumination, fixture type and shielding</td>
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(Continued on next page)
<table>
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<tr>
<th>Required Data Description (cont’d)</th>
<th>Plot Plan ZA Approval</th>
<th>Site Plan PC Approval</th>
<th>Comments</th>
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<tr>
<td><strong>NATURAL RESOURCES AND FEATURES</strong></td>
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<tr>
<td>Natural features – such as: woodlands, floodplains, lakes, streams, steep slopes (33 percent), high risk erosion areas, critical dunes, sensitive areas, wetlands</td>
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<td>Creeks, streams, lakes, ponds and wetland areas within 1,500 feet of property</td>
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<tr>
<td>Location of any required agricultural buffers</td>
<td>X</td>
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</tr>
<tr>
<td><strong>MISCELLANEOUS</strong></td>
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<td>Landscaping plan – location of plants to be preserved, proposed plantings, screening, fences and lighting</td>
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<tr>
<td>Storage location, specifications and containment systems for chemicals, salts, or flammable materials, or hazardous materials</td>
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<td><strong>Structure Information (existing and proposed)</strong></td>
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<td>Location, dimensions, height, bulk</td>
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<td>Proposed structure use</td>
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<td>Location and size of any waterfront structures and docks</td>
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<td>X</td>
<td></td>
</tr>
<tr>
<td>Existing man-made features – indicate which are to be retained, removed or altered.</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Accessory structures including fences and sheds—size, location and use</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Trash receptacles – size, location and screening</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Signs – type, size and location</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>ADDITIONAL INFORMATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire and safety preplan coordinated with Fire Chief</td>
<td>X</td>
<td>X</td>
<td>Can NOT be waived</td>
</tr>
<tr>
<td>List of all other federal, state, and local permits and current status of required approvals</td>
<td>X**</td>
<td>Can NOT be waived</td>
<td></td>
</tr>
<tr>
<td>Expected project completion schedule</td>
<td>X**</td>
<td>Can NOT be waived</td>
<td></td>
</tr>
<tr>
<td>Other information deemed necessary by PC to determine compliance with this Ordinance</td>
<td>X**</td>
<td>Can NOT be waived</td>
<td></td>
</tr>
</tbody>
</table>

** Sections (or portions thereof) which shall NOT be modified or waived

Waiver Notes:
1. Planning Commission approval of a request for waiver and/or modification of data required from the applicant in no way releases the applicant from the requirements contained in this Ordinance.
2. For each request for modification or waiver of data requirements, the applicant shall provide to the Planning Commission, in writing, its rationale using findings requirements listed in SECTION TBD
3. Prior to submission of an application to the Zoning Administrator, the applicant shall provide a written preliminary project description to the Planning Commission seven (7) days in advance of a scheduled meeting which includes applicant's rationale for requested data modifications or waivers. The applicant shall attend the meeting at which the request is to be considered. The Planning Commission may make a site visit.
4. The Planning Commission will provide the applicant and the Zoning Administrator a list of the approved data requirements which have been waived or modified prior to submission of the application.
5. The Planning Commission is under no obligation to waive or modify any data requirement.
Data Waivers
1. The Planning Commission may waive, in whole or in part, or modify any of the above site plan requirements.
2. The Zoning Administrator may waive, in whole or in part, or modify any of the above plot plan requirements.
3. Planning Commission approval of a request for waiver and/or modification of data required from the applicant in no way releases the applicant from the requirements contained in this Ordinance.
4. Prior to submission of an application to the Zoning Administrator, the applicant shall provide a written preliminary project description to the Planning Commission seven (7) days in advance of a scheduled meeting which includes applicant's rationale for requested data modifications or waivers. The applicant shall attend the meeting at which the request is to be considered. The Planning Commission may make a site visit.
5. The Planning Commission is under no obligation to waive or modify any data requirement.
6. Waivers Findings Requirements:
   a. The requirement is not applicable to the proposed development.
   b. The data will serve no useful purpose and/or no good public purpose will be achieved by requiring strict conformance with the listed requirement.
   c. Circumstances have not significantly changed on the property since the last time detailed information on the site was submitted.
   d. Another reasonable circumstance or condition exists.

SITE PLAN REVIEW PROCEDURES
A. Submittal and Distribution of Site Plans: The applicant shall consult with the Zoning Administrator prior to submitting an application to review the process and determine if any additional agencies will need to review the proposed site plan. Prior to submitting an application to the Zoning Administrator, the applicant shall submit a copy of the proposed site plan and relevant supplemental information to the each of the following entities for comment:
   1. Fire Department,
   2. County Road Commission,
   3. District Health Department,
   4. County Drain Commissioner,
   5. County Construction Code office, and
   6. Other agencies as may be relevant, including the Department of Natural Resources and the Natural Resources Conservation Service.

Three (3) copies of the application, site plan, and agency comments shall be submitted to the Zoning Administrator. The Zoning Administrator (or designated agent(s) and/or consultants) shall review the application and site plans for completeness and if such application or plans are not complete according to Section XIV.8, a written notice shall be provided identifying the inadequacies of the plans and any additional information required. Once the application submittal materials are determined to be complete, an additional five hard copies and one electronic copy of all application materials shall be submitted to the Zoning Administrator.

B. Review: The Planning Commission shall review the application and plans and determine their conformity with the applicable provisions of this Ordinance and the provisions of Section XIV.8.

C. Action: After conducting a review, the Planning Commission shall reject, approve, or conditionally approve the site plan, as it pertains to requirements and standards contained in the Zoning Ordinance. Any conditions required by the Planning Commission shall be stated in writing and shown on the site plan, together with the reasons, and delivered to the applicant. Decisions by the Planning Commission shall be made within sixty (60) days of the receipt of the completed application unless, in the opinion of the Planning Commission, an extension of time is necessary to adequately collect and review information pertinent to a decision. A site plan shall be approved if it contains the information required by, and is in compliance with this Ordinance, other Township planning documents, and state and federal statutes.

D. Approved Site Plans: Three (3) copies of the approved site plan, with any conditions contained within, shall be maintained as part of the Township records for future review and enforcement. Each copy shall be signed and dated with the date of approval by the Zoning Administrator and the applicant for identification of the
approved plans. One (1) copy shall be returned to the applicant. If any variances from the Zoning Ordinance have been obtained from the Zoning Board of Appeals, the minutes concerning the variances, duly signed, shall also be filed with the Township records as a part of the site plan and delivered to the applicant for information and direction.

SECTION XIV.8 SITE PLAN REVIEW AND APPROVAL STANDARDS
Each site plan shall conform with the applicable provisions of this Ordinance and the standards listed below:

A. All elements of the site plan shall be organized in relation to topography, the size and type of lot, and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

B. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts. Landscaping, buffering, and screening shall conform with the requirements of SECTION TBD Landscaping and Screening.

C. Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties.

D. The site plan shall provide reasonable, visual, and sound privacy for the proposed development, as well as the adjacent properties. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

E. A fire and safety preplan review shall be required and coordinated by the applicant with the Glen Arbor Township Fire and Rescue chief or his/her designee.

F. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access.

G. Every structure or dwelling unit shall have access to a public street, private road, walkway, or other area dedicated to common use.

H. Walkways shall be provided, separate from the road system, where feasible.

I. Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties, and shall be directed downward so as not to unnecessarily illuminate the night sky. Flashing or intermittent lights shall not be permitted.

J. The proposed arrangement of vehicular and pedestrian routes shall respect the pattern of existing or planned streets and non-motorized pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way.

K. All streets shall be developed in accordance with County Road Commission specifications if public, and in accordance with Private Roads, if private.

L. All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting roads, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.

M. Residential and nonresidential development shall not include unnecessarily curb cuts and shall use shared drives and/or service drives where the opportunity exists unless precluded by substantial practical difficulties.

N. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.

O. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant receiving necessary state and federal permits before the final site plan approval is granted.

P. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment, including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.

2. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.

3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

SECTION XIV.9 CONFORMITY TO APPROVED SITE PLANS
Following the approval of a site plan by the Planning Commission, and the issuance of the Land Use Permit by
the Zoning Administrator, the applicant shall construct the site plan improvements in complete conformity with the approved site plan. Failure to do so shall be deemed a violation of this Ordinance.

SECTION XIV.10 CHANGES AND APPEALS

A. Amendment to the Site Plan: No changes shall be made to an approved Site Plan prior to or during construction except upon mutual agreement between the applicant and the Township or Zoning Administrator according to the following procedures:

1. **Major Changes**: major changes or amendments to an approved Site Plan involving changes that significantly alter the approved design or layout and/or the intensity or impact due to change is likely to be greater than that which was originally approved. Major changes shall include changes in the location or extent of walkways, vehicular circulation ways and parking areas, or exterior building and structure walls if such changes will impact the original approval standards or conditions or approval, or negatively impact neighboring properties; the number and location of accesses to public streets and alleys; a reduction in the number of parking spaces; an increase in the gross floor area or heights of buildings; a reduction in the open space; and similar major changes, shall require the approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved and subject to the finding of all of the following:
   a. Such changes will not adversely affect the initial basis for granting approval;
   b. Such changes will not adversely affect the overall project in light of the intent and purpose of such development as set forth in this section; and
   c. Such changes shall not result in the reduction of open space area as required herein.

Minor changes to an approved Site Plan upon which the Zoning Administrator defers judgment to the Planning Commission, shall be treated as a major change.

2. **Minor Changes**: Minor changes to an approved Site Plan (including a Site Plan associated with a Special Land Use approval) which still meet all Zoning Ordinance requirements and the conditions of the original approval, in addition to not meeting the major change criteria listed in 6.08.A.1 above, may be approved by the Zoning Administrator. The Zoning Administrator may at his or her discretion request the Planning Commission to review the proposed minor change.

3. **Deferred to PC**: Changes to an approved Site Plan, which do not technically meet the requirements for a major change, but which the Zoning Administrator at his or her discretion has deferred to the Planning Commission for review shall be reviewed under the process for a site plan review for a permitted use.

B. Amendments to a Plot Plan: The Zoning Administrator shall review proposed changes to an approved plot plan in accordance with the standards specified in this ordinance. Changes to a plot plan which contain elements which require site plan approval according to this section shall require that the entire project be processed as a site plan according to the procedures of xxxxxxx.

C. Appeals: With regard to site plan and plot plan approval decisions, an appeal may be taken to the Zoning Board of Appeals in the manner of other administration decisions. The concurring vote of a majority of the members of the ZBA shall be necessary to reverse any decision by the Planning Commission, or to decide in favor of the applicant. The appeal may be taken by any person aggrieved or by any officer, department, board, or bureau of the Township, County, or State. The Zoning Board of Appeals shall state the grounds of each determination.

D. Circuit Court Review: Any party aggrieved by an order, determination or decision of the Zoning Board of Appeals may obtain a review both on the facts and the law, in the Circuit Court; provided that application is made to the Court within thirty (30) days after the delivery of a final decision.

SECTION XIV.10 NOTICES FOR PUBLIC HEARINGS

Whenever this Zoning Ordinance or the Michigan Zoning Enabling Act requires a public hearing to be held, notice of the public hearing shall be given in the manner provided for in Section 103 of the MZEA [MCL 125.3103], as modified (where appropriate) by the following Sections:

- Section 202 [MCL 125.3202];
- Section 306 [MCL 125.3306];
- Section 401 [MCL 125.3410];
- Section 502(2) and (3) [MCL 125.3502(2) and (3)];
- Section 503(5) [MCL 125.3503(5)];
- Section 508(4) [MCL 125.3508(4)];
- Section 604(4) [MCL 125.3604(4)]; and
- Section 604(5) [MCL 125.3604(5)].
ARTICLE II DEFINITIONS

SECTION II.2 DEFINITIONS

Structure: Any constructed or erected material or combination of materials built or placed in or upon the ground including: buildings, dwellings, garages, sheds, storage bins, decks, fences, signs, towers, or other like objects; but excluding, fences, driveways, parking areas, sidewalks, boardwalks, at grade patios, decks, steps, retaining walls, docks, flagpoles, mailboxes, and other similar objects.
CALL TO ORDER: Chairman Lance Roman called the meeting to order at 7:00PM

ROLL CALL: John Peppler, Kent Kelly, Bob Ihme, Bill Stege, Lance Roman, and Pam Lysaght. Paul Walters was absent.

AGENDA: Approved as presented

BUSINESS:
The following items were discussed and amended as appropriate prior to being submitted to the County for review.

1. Definition of setbacks – measure from drip edge
   Kelly remarked there is some confusion in the wording. Lance will correct.
2. Definition of campground and recreational unit
3. Section VII.1.1 use regulations to include campgrounds
4. Definition of site and plot plan
   A correction in wording made and will be implemented by Lance before forwarding to County.
5. Procedures for Site Plan requirements, review
6. Definition of change of structure – add decks and fences.

A motion was made by Lysaght to forward the suggested ordinance changes to the County. Peppler supported the motion and the motion passed unanimously.

PUBLIC COMMENTS:
None

COMMISSION MEMBER COMMENTS
None

ADJOURN: The Public Hearing was adjourned at 7:20
3. The Zoning Administrator shall develop a check list that identifies the various approvals that must be provided to the Township in writing for each project submitted and a copy of said list shall be given to the applicable applicant.

4. Review of project progress and receipt of required approvals shall be conducted by the Zoning Administrator who shall report monthly on such activity to the Planning Commission and Township Board.

5. Failure of an applicant to comply with the requirement to solicit, receive and provide copies of necessary final approvals to the Township Zoning Administrator shall result in the withholding of final authorization to “open for business” by the Township. Failure to comply with this procedure shall result in the Zoning Administrator “red flagging” the property involved, thereby precluding the business from opening in the Township. Daily fines shall be charged in the event that the effected business owner fails to comply with this “red flag” stop work order precluding operation of the business.

6. The applicant shall provide the Zoning Administrator with copies of the following approvals at a minimum:
   1. Unrestricted Occupancy Permit from the Inspections Office
   2. Documentation of a completed and approved permit for a sewage disposal system, and well from the Health Department or other applicable agency
   3. Approval from the Department of Agriculture for effected properties
   4. And other permits as may be required due to the nature of the business involved

7. The Zoning Administrator shall maintain a file of all referenced documents at the Township Offices for review upon request by all involved parties.

SECTION XIV.4 DISTRIBUTION OF LAND-USE PERMITS
Each Land-Use Permit shall be in triplicate and the copies shall be in distributed as follows: one to the applicant which he is to retain until construction is completed; one to the Township Supervisor; and one to be retained by the Zoning Administrator as a part of the permanent records of the Township.

SECTION XIV.5 DENIAL OF PERMITS
The Zoning Administrator shall promptly inform the applicant of the denial of a “Land-Use Permit” if, in his opinion, such planned building or structure or use/ activity does not comply with the provisions of This Ordinance.

SECTION XIV.6 FEES
The Fee schedule has been removed from This Ordinance effective July 1, 1996. Fees are hereafter determined by Town Board action.

SECTION XIV.7 REQUIREMENTS FOR SITE PLAN
Requirements for the contents of the Site Plan as required in SECTION XIV.3 are:

A. Name(s) and address(es) of the applicant(s).
B. Nature of applicant's holding in the proposed site property.
C. Name(s) and address(es) and professional qualifications of the person(s) responsible for the preparation of the Site Plan.
D. Project description and purpose containing a descriptive explanation of the project, its nature, location and purpose, including six (6) copies and one (1) reproducible transparency of a schematic development plan of the proposed development showing:
   1. General site location of the proposed development.
   2. Major existing physical and natural features such as watercourses, rock outcropping, wetlands, wooded areas, etc.
E. Location of the existing utilities and drainage ways.
F. Location and names of public streets, parks, and railroad and utility rights-of-way within or adjacent to the proposed development.
G. General location and dimensions of proposed streets, driveways, sidewalks, pedestrian ways, trails, off-street parking and loading areas.
H. General location and approximate dimensions of proposed structures.
I. Major proposed change of land forms such as new lakes, terracing and excavating.
J. Approximate existing and proposed contours and drainage patterns, showing at least five (5) foot contour intervals.
K. Sketch(es) showing the scale, character and relationship of buildings, streets and open space.
M. Approximate location and type of proposed drainage, water and sewerage facilities.
N. Legal description of property.
O. A general narrative, physical description of the site, including its dominant characteristics, its vegetative character, its present use and other relevant information.
P. The Fire Chief shall be notified to attend the Site Plan Review meeting in order to render expertise, comments, and opinions to the members or the Zoning & Planning Commission regarding the proposed site plan.
Q. Site plans that encompass one or more defined parcels must relate the legal and continued use across parcel boundaries utilizing one of the following methods:
   1. Combine the parcels under one legal description.
   2. Assign one parcel as a master parcel for the activities and record a restrictive covenant, in favor of the township, for each subordinated parcel as part of the master parcel use as illustrated in the site plan that prohibits the use of said lot for any other purpose, except as part of the use approved for the master parcel, without the permission of the Planning Commission. If the use of the site is discontinued or changed, as approved by the Planning Commission, the encumbering restrictive covenant may be rescinded by the Township Board.

SECTION XIV.8 SITE PLAN REVIEW AND APPROVAL STANDARDS
A site plan shall be submitted to the Zoning Administrator for all uses so specified in this Ordinance, as well as for all those uses requiring four or more parking spaces, or having more than 10,000 square feet of building area and shall include the information required in Section XIV.7 as well as any additional information required in this Ordinance. Each site plan shall be reviewed by the Planning Commission and shall be approved only if it conforms with the applicable provisions of this Ordinance and the standards listed below:

Drainage: Site plans shall fully conform with the published surface water drainage standards of the County Drain Commission.

Traffic: Site plans shall fully conform with the driveway and traffic safety standards of the Township, or as may be applicable, the Michigan Department of Transportation and/or the County Road Commission.

Public Safety: Site plans shall fully conform with the applicable fire safety and emergency vehicle access requirements of the Township Fire Chief and the State Construction Code.

Erosion: Site plans shall fully conform with the County Soil Erosion and Sedimentation Control Ordinance.

Public Health: Site plans shall fully conform with the requirements of the Michigan Department of Public Health and the District Health Department with approval authority.

Compliance: Site plans shall fully conform with all applicable state and federal statutes.

Hazardous Substances Management: The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous substances, as defined by applicable state and federal regulations, from contaminating the environment including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, rivers, or wetlands.
2. Secondary containment for above ground areas where hazardous substances are stored or used shall be provided. Secondary containment shall be sufficient to store the substances for the maximum anticipated period of time necessary for the recovery of any released substances.
3. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.
4. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to groundwater, including direct and indirect discharges, shall be allowed without required permits and approvals.

Alterations or changes, deemed by the Zoning Administrator as significant, to the site plan after review and approval of the Planning Commission must be submitted to the Planning Commission with drawings and other information and approved by the Planning Commission before the changes or alterations can be made. Non-significant changes can be approved by the Zoning Administrator.
Professionals and Consultants: The Zoning Administrator or Planning Commission may require the applicant to reimburse the township for a professional or consultant to address any issues in the above standards that are beyond their reasonable competence of resolving. The applicant shall reimburse the township for any fees resulting out of such engagement by the township.

SECTION XIV.9 NOTICES FOR PUBLIC HEARINGS
Whenever this Zoning Ordinance or the Michigan Zoning Enabling Act requires a public hearing to be held, notice of the public hearing shall be given in the manner provided for in Section 103 of the MZEA [MCL 125.3103], as modified (where appropriate) by the following Sections:

Section 202 [MCL 125.3202]; Section 306 [MCL 125.3306]; Section 401 [MCL 125.3410];
Section 502(2) and (3) [MCL 125.3502(2) and (3)]; Section 503(5) [MCL 125.3503(5)]; Section 508(4) [MCL 125.3508(4)];
Section 604(4) [MCL 125.3604(4)]; and Section 604(5) [MCL 125.3604(5)].

ARTICLE XV NUISANCE PER SE: ENFORCEMENT PENALTIES FOR VIOLATION

SECTION XV.1 NUISANCE PER SE
Uses of land, and dwellings, buildings or structures, including tents and mobile homes, used, erected, altered razed or converted in violation of any provision of This Ordinance or regulations or conditions adopted (or imposed) under authority of This Ordinance, are a Nuisance per se.

SECTION XV.2 PENALTIES
Abatement. The Court shall, on complaint of the Zoning Administrator, order any nuisance under SECTION XV.1 abated, and the owner or agent in charge of the subject premises shall be liable for maintaining the nuisance per se.

Municipal Civil Infraction.

1. Any person, firm, association, corporation or other entity which shall violate any provision of this Ordinance in any particular, or who fails to comply with any of the regulatory measures or conditions imposed by the Board of Appeals or the Planning Commission pursuant to this Ordinance or otherwise pursuant to Michigan law shall, unless such violation has abated, ceased to exist or otherwise been remedied within seven (7) days after being provided with written notice of such violation from the Code Enforcement Officer, be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine for each violation in accordance with the schedule set forth herein, along with costs which may include all expenses, direct and indirect, to which Glen Arbor Township has been put in connection with the municipal infraction. In no case, however, shall costs of less than $9 or more than $500 be ordered. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance. Provisions of this Ordinance may also be enforced by suit for injunctive relief.

Civil Fines for Municipal Infractions

Unless otherwise provided elsewhere within this Ordinance for specific violations, Civil Fines for municipal civil infractions shall be assessed in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Fine</th>
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<tbody>
<tr>
<td>1st violation within 3-year period</td>
<td>$250.00</td>
</tr>
<tr>
<td>2nd violation within 3-year period</td>
<td>$500.00</td>
</tr>
<tr>
<td>3rd violation within 3-year period</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

2. The Township Zoning Administrator, and such other persons designated by Resolution of the Township Board, shall be authorized to issue notices and citations for municipal civil infractions.

3. Upon failure of the offender to abate a particular condition as ordered, the Township may enter the property to do so and be reimbursed by the offender for any costs which costs may be recovered by the creation of a lien pursuant to applicable law.

4. In addition to ordering the offender to pay the civil fine, costs, and damages and expenses, the Judge or District Court Magistrate may issue other writs or orders as permitted by law.

Other Remedies. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan law.
To: The members of the Leelanau County Planning Commission, and supporting staff.

From: Eric Winkelman, member of the Leelanau County Planning Commission

If you are a planner, then one should probably be thinking ahead and anticipating. So if the Leelanau County Planning Commission were to do the below suggestion in 2016, while at the same time making any minor changes to the plan, then in 2021, the Planning Commission could make major or minor changes, if needed, to the General Plan, and at the same time also incorporate all of the pertinent 2020 census data.

The Principal Goal from the Leelanau County General Plan:

“It is the principal goal of the Leelanau General Plan to establish a strategy for guiding growth that protects and, where possible, enhances the unique character of life on the peninsula. To that end, the General Plan focuses on **balancing environmental protection**, **resource management**, and **economic development** so as to provide a foundation for a suitable economy that permits long term prosperity for all present and future Leelanau County residents. The balance so achieved should not sacrifice environmental quality when **reasonable and prudent development alternatives** exist. This plan recognizes that a healthy economy depends on a healthy environment. Achievement of this goal means protecting the integrity of the land base for use by present generations without unnecessarily compromising the options of future generations.”

What follows are the suggested **key components, of the Principal Goal of the Leelanau General Plan, as well as the more descriptive phrases also from the Principal Goal, that are supportive of those key components.**

**balancing environmental protection** [not sacrifice environmental quality, i.e. a healthy environment, protecting the unique character, and protecting the integrity of the land base, and life on the peninsula.]

**resource management** [includes strategies for guiding growth, and protecting the integrity of the land base]

**economic development** [healthy economy, includes strategies for guiding growth, provide a foundation for a suitable economy]

**reasonable and prudent development alternatives** [healthy economy, includes strategies for guiding growth, for use by present generations without unnecessarily compromising the options of future generations]

The suggestion is: Create a Leelanau County General Plan summary, which would appear after the Principal Goal, but before the contents of the plan and the body of the plan itself. The structure of the summary would use the already existing goals, objectives, as well as any action statements, organized per the above **key components, to summarize the various parts of the plan. Sometimes a goal,
objective, and/or action plan/statement can appropriately be part of more than one or even several key components; and therefore fits into one or more of the above components by both the name of that component, as well as including the appropriate Chapter and Page Numbers within that chapter, for where it appears in the main body of the General Plan.

The only current suggested change in the body of the plan itself, is to organize any and all of the pertinent, ever changing census information, into one specifically designated area/section/chapter of the General Plan, so as the demographic information changes, then only that portion of the plan needs to be updated in a timely fashion.

I believe the above suggestion will aid the majority of those accessing our General Plan, via the internet, to expeditiously get a more immediate sense of the Plan. For those who are even more interested, in all or just specific portions of the Plan, the Chapter/s with appropriate page numbers, are given to provide easier and more convenient access.

If the Planning Commission would like to pursue any of the above suggestion further, it is further suggested that it goes to the education committee for their review and eventual report of its feasibility to the entire Planning Commission.

Additionally, and if needed, I am willing to serve, temporarily on the education committee, in an ad hoc position, as it specifically concerns the above.

Respectfully suggested and submitted by,

Eric Winkelman, Leelanau County Planning Commission member
2015 Annual Planning Report

Leelanau County Planning Commission
Leelanau County Planning & Community Development Office
8527 E. Government Center Drive, Suite 108
Suttons Bay, MI  49682
(231) 256-9812, or 866-256-9711, Ext. 812
www.leelanau.cc

Leelanau County Planning Commission Annual Report Summary

The 2015 Planning Report for Leelanau County, Michigan, was prepared pursuant to the requirements of Section 19 (2) of the Michigan Planning Enabling Act, Public Act 33 of 2008, which states:

“A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development”.

The planning commission and planning staff provided a range of services and reviewed and made recommendations on rezoning requests, text amendments, plans, and county facilities throughout 2014.

Leelanau County Planning Commission:

The Leelanau County Zoning Commission was established by resolution of May 13, 1968. The Leelanau Planning Commission Ordinance was established on January 13, 1970, and then both zoning and planning functions were combined with the Leelanau County Planning Commission.

In 2011, the county planning commission developed and adopted an Ordinance to create a Planning Commission for the County of Leelanau as authorized by Public Act 33 of 2008, as amended, being the Michigan Planning Enabling Act, MCL 125.3801, et seq. for the purpose of having planning and zoning in the County of Leelanau, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of Leelanau County; and to function in cooperation with other constituted authorizes of incorporated and unincorporated areas within the state where County of Leelanau exists. The County Board of Commissioners approved this Ordinance in May of 2011.

The planning commission is appointed by the Board of Commissioners and its members include one (1) member of the County Board. The commission holds regular (monthly) public meetings to review development and planning items, per state statutes.

County Planning Commission
Will Bunek, Chair
Representing County Board of Commissioners
Charles Godbout, Vice-Chair
Representing Finance
Victor Goldschmidt, Chair Pro-Tem
Representing Education
Greg Julian
Representing Agriculture
Gerald Bergman
Representing Municipal Government
Fred Cepela
Representing Recreation
Jerry Raymor
Representing Legal and Real Estate
Richard Kobetz
Representing Economic Development
Eric Winkleman
Representing Transportation
Jessica Lukomski
Representing Tourism
David McCulloch
Representing Business

Planning Staff
Trudy Galla, Director
Kristin Holappa, Senior Planner
Diane Kiessel, Housing Manager
Laura Lassaline, Secretary
2015 Projects & Activities Highlights

- Reviewed 3 rezoning requests and 13 text amendments
- Continued development of the Capital Improvement Program
- Prepared and submitted grant applications per county policy.
- Attended local township and village meetings.
- Participated in Parks & Recreation Committee and Leelanau Scenic Heritage Route Meetings.
- Staff helped facilitate damage assessment from the August storm.
- Assisted Solid Waste Council in establishing new recycling site in Lake Leelanau
- Through Solid Waste Council held 4 household hazardous waste and electronics collections netting 117,463 lbs of hazardous waste and 72,969 lbs of electronics.

Planning & Community Development Department:

Staff prepared staff reports, agendas, minutes, and agenda items for the planning commission regular and special meetings and for training sessions/workshops.

The following commissions and boards are served by staff:
- Planning Commission and Education Committee of the Planning Commission
- Brownfield Redevelopment Authority
- Land Bank Authority
- Leelanau Clean Water (LCW)
- Solid Waste Council
- Housing Review Committee

Planning Staff also provide:

- Oversight of the county’s Solid Waste Management Program and state mandated Solid Waste Management Plan, including the recycling program and household hazardous waste and electronics collections.
- Oversight of the Leelanau County Brownfield Redevelopment Authority.
- Oversight of Leelanau Clean Water (LCW).
- Participation in the Leelanau County Land Bank Authority.
- Administration of the Leelanau County Address Ordinance & Fee Schedule, per the Address Ordinance of 1989.
- Administration of the County’s Housing Programs.
- Digital projects for aerial photos, scanning and other mapping services.
- Participation in Damage Assessment Team for Emergency Operations. Director Galla serves as the Leader for the Damage Assessment Team for Leelanau County.
Storm Damage Assessment

Planning staff were instrumental in assessing the damage from the straight line winds, in the storm on August 2nd. Director Trudy Galla and Senior Planner Kristin Holappa participated in field assessment, and calls from affected homeowners were routed through the Planning Office. In total 2 buildings were destroyed, 19 suffered major damage, 74 had minor damage, and 626 more were affected. Estimated total loss is $29,679,433. Planning and Equalization worked together to develop reports and find estimates for the Emergency Management office.

Creating Multigenerational Communities

Leelanau Planning Commission sponsored a workshop on June 17, 2015 on creating multigenerational communities, presented by environmental gerontologist Esther Greenhouse. Ms. Greenhouse provided an overview of key demographic, economic, housing, zoning and transportation issues within Leelanau County including lack of affordable or workplace housing, and an increase in in-migration of older adults (over 60). Ms. Greenhouse also provided several suggestions for improvement with a focus on Enabling Design. Planning Director Trudy Galla and Director of Senior Services April Missias also provided insight into some of the challenges in Leelanau County.

Following the presentation, participants were divided into small groups and given a worksheet that Ms. Greenhouse provided to explore issues and potential solutions in their communities. The recommendations focused on affordable housing, increasing density, decreasing minimum square footage requirements, and education and incentives for Enabling Design. Ms. Greenhouse provided a written summary report later in the year.

Training

Various Commissioners attended several trainings including: a workshop on Shoreline Zoning, an informational session on FOIA, the Freshwater Summit, and the Michigan Association of Planning Annual Conference. Commissioners and Staff attended a Planning & Zoning Essentials Workshop with Kurt Schindler. Director Trudy Galla attended and presented on zoning issues at the 2015 MI Grape and Wine Conference and also attended the 2015 Brownfield National Conference in Chicago. Senior Planner Kristin Holappa attended the APA National Planning Conference and the IMAGIN Annual Conference. The commission will continue to review opportunities for trainings and resources which can be brought before local appointed and elected officials, and the general public.
Leelanau County Planning & Community Development
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Leelanau County Government Center
Suttons Bay, Michigan

Dedicated on May 18, 2008

Address Assignment

Brownfield Redevelopment Authority

Recycling

Household Hazardous Waste Collections

Mapping