

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, MI 49660

WORKSESSION OF MARCH 19, 1998

There will be a worksession of the Manistee City Planning Commission to be held on Thursday, March 19, 1998 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

AGENDA

- I. Roll Call
- II. Matters Pertaining to the General Citizenry
 - A.
- III. Worksession
 - A. Kurt Schindler
 - B. Master Plan
 - C. Other

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, Community Development Officer
Jeff Mikula, Abonmarche
Kurt Schindler, County Planner
Manistee News Advocate
Manistee Observer
WMTE Radio
WXYQ Radio
Julie A. Beardslee, City Assessor
Lori L. Donnan, Administrative Assistant

Chapter Two

COMMUNITY PLANS AND PLANNING: Different Types for Different Purposes

Community planning is a process for coordinating community development. It addresses physical, economic, environmental, and social (development) issues from a local or regional perspective. It seeks to solve existing problems, prevent future ones, and seize (or create) emerging opportunities. Community planning is not a single approach, technique, or philosophy. Rather, it draws from many different schools of thought and is **uniquely** applied in each community. Natural and environmental science, economics, political science, business management, social science, engineering, architecture, law and public health are all brought to bear on the difficult and complex problems each community must face.

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Planners and local officials face the challenging task of sorting through various planning approaches—and the competing interests they often represent—to formulate a positive future for their community. This can be a lengthy process, but it is one of the most vital and rewarding services any citizen could participate in. The goal of this chapter is to help the reader sort through these approaches—their variations, distinctions, and interrelationships—to better understand when and how to use them in designing a successful planning program for your community, or in conjunction with using a technique in Chapter Four.

COMPREHENSIVE PLANNING

Comprehensive planning is the basis or framework of community planning. Sometimes called “*master planning*,” it is a process for developing a plan for the future physical development of the community. It is a process which seeks to consider all the relevant factors

that currently, or in the future, may influence community growth or decline.¹

A comprehensive *plan* is the sum total of many elements (sometimes separate plans) for achieving local goals, covering a broad scope of community issues. It is the community's vision of the future which lays the essential groundwork for local growth and development, but it is only the beginning. Considerable challenges may lie ahead before the vision it represents will be realized. New problems will arise and new solutions will be required. This is why comprehensive planning is considered an ongoing process.

A clear understanding of any problem is necessary before arriving at an effective solution; the same is true before seizing any emerging opportunity. The community's history, resources, economy, population, growth trends, existing land use, infrastructure and community services, environment, character, attitudes, and key problems and opportunities should all be evaluated before planning recommendations are made.

Communities vary considerably in the planning process they follow, the format of the plan document(s) and the information they choose to include. No matter what approach is taken, data, planning principles and development policies should be as complete as feasible *and* wherever possible, condensed into maps, graphs, and tables for easy understanding and ready application.

Once there is a clear understanding of why a plan is being prepared, and of any assumptions on which it will be based, the planning process usually proceeds as follows:

- Trends and Conditions Analysis
- Development of Goals and Objectives

1. Verburg, Kenneth, **The Community Planning Process: A Guide for Planning Commissioners in Michigan**, 1986, Michigan Society of Planning Officials, 414 Main Street, Suite 202, Rochester, MI 48307, (313)651-3339.

WHY PLAN?

Planning is a process that is fundamental to almost everything we do in our personal lives, our jobs, and in our community. Planning, or failing to plan, is especially important at the community level because so many people are affected. Community planning serves as a frame of reference for public and private land development decisions. It is the application of the planning process to community change. While change occurs in a community with or without planning; planning is a way to guide change, minimizing negative impacts and maximizing the positive aspects of growth. Community planning is a rational way of deciding what goes where, and when.

We plan:

- To have future choices (e.g., so that our children and our children's children can have a life at least as good as the one we enjoy and, hopefully, better).
- To advance the public health, safety and general welfare.
- To save money by preventing the wasteful expenditure of public and private dollars.
- To publicly allocate scarce resources so as:
 - To create new opportunities and equity for a broader segment of society.
 - To achieve greater efficiency or economy.
- To advocate the public interest in a system driven by private decisions.
- To encourage economic development.
- To protect property values by providing for all necessary and proper uses of land while stabilizing values by establishing a means of preventing incompatible land uses from locating next to each other.
- To wisely provide for public lands and public infrastructure. About 1/3 of the land in a urban municipality is often in public ownership and private lands depend on the local public services and infrastructure (sewers, water, streets, etc).
- To prevent urban problems by achieving orderly growth and redevelopment.
- To improve civic appearance, and provide services in such a way that residents of the community can conveniently carry on their work and leisure time activities with the feeling that the community has a sense of direction.

- Detailed Data Collection, Mapping and Preparation of Technical Studies
- Development and Analysis of Alternatives
- Plan Preparation
- Plan Adoption
- Plan Implementation
- Periodic Plan Review and Updating.

Master plans should:

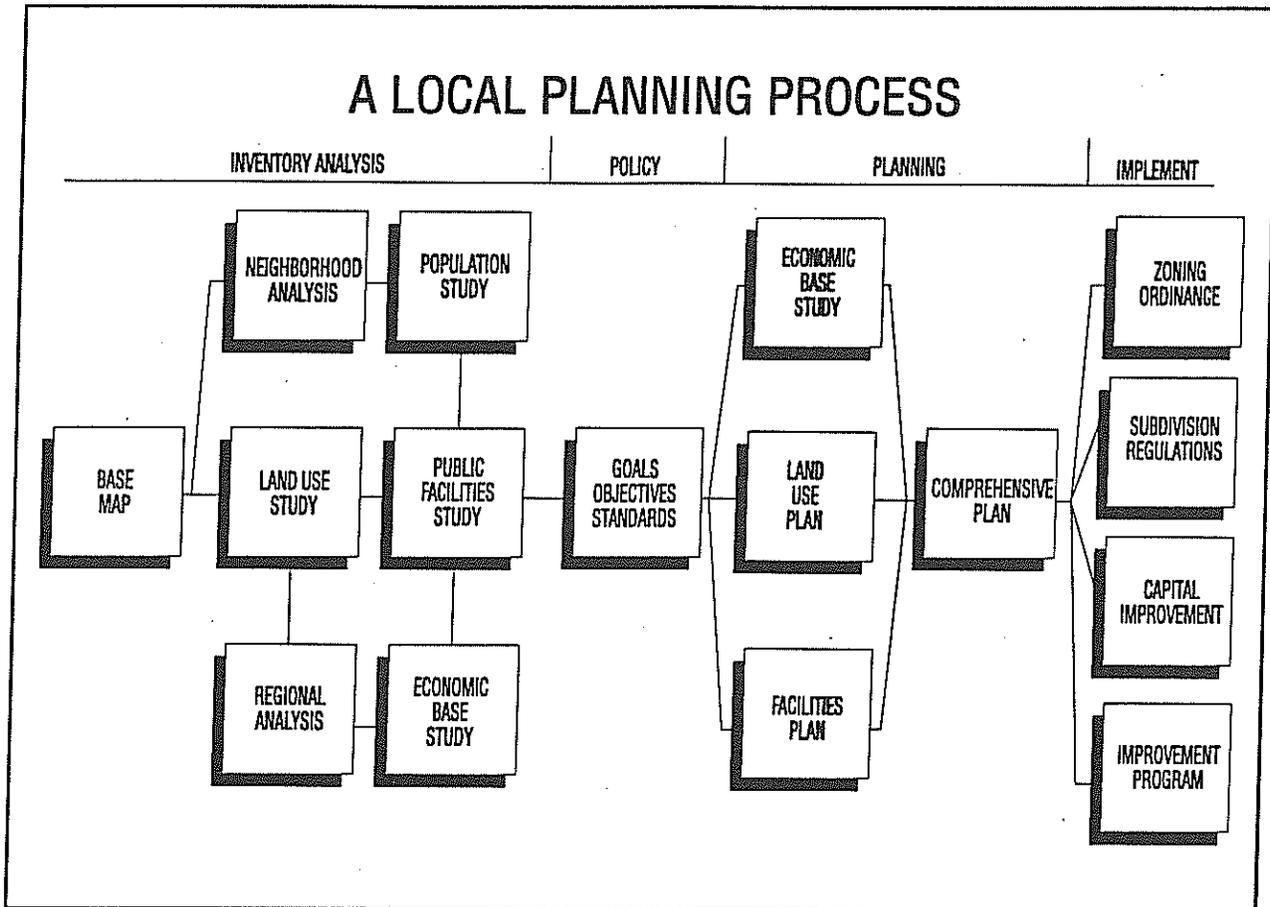
- Be easy to *read* and *understand*.
- Be *geographically comprehensive*.
- Be *long-term* oriented but also have *short-term* elements to solve identified problems.
- Clearly describe *how to achieve* stated objectives.
- Include the means for *preserving community character* and improving it where needed.
- Indicate the *timing* of change.
- Be *internally consistent*.
- Have a *strategy* for new and old areas.
- Be prepared with *wide citizen involvement*.
- Be prepared with the knowledge and support of the *governing body*.
- Be prepared with involvement of *other government agencies*.
- Be *coordinated* with plans from adjacent governmental units.
- Be reviewed and *updated at least every 5 years*.

Information on a variety of **trends and conditions** are commonly included in comprehensive plans. This could include data showing change over time in any of the following:

- Overall population
- Population by age and sex
- Population projections
- Local and regional employment
- State equalized value by class of property
- Public school enrollment
- Educational background of the local workforce
- Employment by industry, sector, and occupation
- Income and poverty characteristics
- Major employers and their employment levels
- Condition of local housing stock.

Of course, many additional indicators of community change can be evaluated as well (e.g., change in air or water quality, or increases in traffic or crime). Graphics and tables help summarize this information, and are used to identify and highlight trends.

A LOCAL PLANNING PROCESS



An extensive amount of public input is necessary in the plan making process, but especially as it relates to development of goals and objectives. Without wide consensus on **goals and objectives** that clearly describe the kind of community that citizens desire in the future, it is very difficult to make decisions in light of competing options and different points of view. A variety of techniques can be used to effectively solicit community input (see Citizen Participation techniques in Chapter Four).

Without wide consensus on goals and objectives that clearly describe the kind of community that citizens desire in the future, it is very difficult to make decisions in light of competing options and different points of view.

Extensive geographic information is also included in the plan, both in the form of descriptive or interpretative text and mapped for easy analysis. **Maps** should be at a consistent scale, where possible, to allow easy comparison of information when preparing the future land use plan, preparing or amending the zon-

ing ordinance, reviewing a development proposal, or a new proposed public facility.

Comprehensive plans often include the following maps:

- Existing land use and vegetative cover map.
- Existing land use by parcel (can often be generated from existing property tax records).
- Vacant land by type and ownership.
- Housing condition information by block, or parcel.
- Soils maps showing general soil categories in terms of their suitability for development. This may be a series of maps which evaluate suitability for specific types of development (i.e., septic fields, dwellings with basements, for certain types of agriculture, etc.).
- Natural resource maps showing areas suited for resource development, such as prime and unique farmland, prime and locally important forestland, oil and gas fields, major and minor aquifers (if known), and mineral deposits (if known). [Note: Whether these maps are prepared will depend on local circumstances. They

are crucial for rural and semi-rural areas.]

- Significant or sensitive natural areas maps showing floodplains, waterways, wetlands, woodlands, steep slopes, highly erodible soils, unique plant or animal communities, and, for coastal communities, high risk erosion areas, beaches, and sand dunes.
- Recreation and open space maps showing areas suited for passive and active recreation and areas of significant open space that should be protected.
- Public facilities and utilities maps showing the location of various public facilities (e.g., police and fire stations, libraries, cemeteries, government buildings, and publicly owned lands), storm sewer, sanitary sewer, water facilities, county drains, solid waste transfer sites and landfills, and major gas mains, electric lines or communication facilities.
- Transportation map showing all state, county, and local roads by category (highway, county primary, arterial, collector, etc.) roadway improvements which are planned, proposed, and underway and other transportation facilities.
- Visual condition, urban design and community character analysis including entry points, corridors, neighborhoods and planning areas, etc.
- Future land use map showing areas of proposed high and low intensity use and areas of proposed future land use by category. This is usually mapped as general areas, rather than by property lines.

In the past, maps and graphs would be drafted by hand. Today, maps and graphs may be produced and updated with computers.

In the past, maps and graphs would be drafted by hand. Today, maps and graphs may be produced and updated with computers. The use of a computerized geographic information system (GIS) is the best way to prepare and later maintain maps, as well as permit linking detailed data sets to specific geographic locations (see GIS Technique in Chapter Four). Michigan's Department of Natural Resources has completed a land use/cover inventory of the entire state. Known as the Michigan Resource Inventory System (MIRIS), this inventory will ultimately be the primary source for much of the natural resource information de-

scribed above, in digital or map form. Communities wishing to develop and expand their own current geographic database can download the MIRIS information onto their own personal computers using specialized mapping equipment (e.g., digitizing tablets and plotters) and software programs that allow maps to be readily updated and overlaid for planning analyses. The initial investment in hardware has dropped significantly in the last few years and now is quite small relative to the long term benefits.

In addition to the mapping, detailed data are collected and documented in **technical studies**, as chapters in the plan, or as separate (but integrated) plans for each functional or geographic area studied.

The future land use plan (either a separate document or a part of the comprehensive plan including text, policies and a map to describe appropriate future land use) is developed after an analysis of this information and various **alternative** development patterns. These alternatives are often constructed around two or more of the following approaches:

- The future if existing trends continue.
- The future if the existing comprehensive plan and/or zoning map were implemented as adopted.
- The future consistent with the newly established goals and objectives. There may be several variations of this option representing different future land use patterns such as a centers and corridors pattern, a low and high intensity areas pattern, etc.

After wide public input on the alternatives, a "preferred future" is usually selected and the **final plan** document is prepared. The comprehensive plan may be a summary of other separate (but integrated) functional plans, or have all the pertinent information for each of these issues included as a part of the plan. Detailed policies are usually developed to serve as the basis for land development regulations and for public facility investment decisions that serve to implement the plan.

Once the plan is prepared, it is again presented to the public for input at one or more public hearings. After additional refinement, it is **adopted** by the planning commission.

Once completed, the comprehensive plan becomes the official guide and legal basis for community development decisions. Thereafter, the measures necessary to **implement** it

are initiated. These may include revisions to the zoning ordinance, subdivision regulations, capital improvement program, etc (see Land Development Regulation techniques and Capital Improvement Plans technique).

To be effective, planning commissioners and elected officials must have a strong working knowledge of the comprehensive plan. They must consistently apply it when drafting or amending land development regulations, preparing functional or specialized plans, and reviewing development proposals.

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Because communities are constantly changing, information contained in a plan becomes outdated. And as the present changes, so do opportunities and expectations for the future. Thus, it is essential to **periodically update** the information that is contained in the comprehensive plan, as well as reevaluate its basic vision and implementation programs at least once every five years.

LAND USE PLAN

A future land use plan is the representation of the "preferred future" of how the community would like to grow, and includes recommendations on how development goals, objectives, and policies will be carried out. It is based on analyses of environmental opportunities and constraints, existing trends and conditions and projected future land use needs. The land use plan establishes desired amounts and locations of residential, commercial, office, and industrial development; public facilities; open space, environmental conservation, and recreational areas; and changes or improvements to the local traffic circulation system. These are the key land use categories, but others may be included depending on local circumstances (e.g., agriculture, forestry, etc.). Subcategories are also created, depending on the type and intensity of development the community is experiencing (e.g., single family residential, multi-family residential, and high rise residential, or a special focus on multi-use areas such as waterfronts).

Some communities do not have a comprehensive plan, but they do have a future land use plan embodying the elements described above. In these communities, the future land use plan serves as the basis for local zoning,

rather than a master plan or comprehensive plan. A future land use plan is not as comprehensive in scope and detail, and has little additional utility beyond establishing zoning districts. In contrast, a comprehensive plan can set the stage for public facility expansion, future grant proposals, and integration of many local government activities related to land development.

POLICY PLANS

Policy plans are explicit statements of local goals, objectives, and policies. They should not be prepared without widespread community involvement (see Citizen Participation techniques in Chapter 4), and are often initiated with a community opinion survey.

Policy planning is often used to determine which subjects the community will focus on in the comprehensive plan or in any subarea or functional plans that will follow. Some communities use a policy planning process to define key local planning issues and appropriate goals, objectives and policies to address those issues. This may include analysis of existing problems and opportunities, identification of desired community character, stance on development issues, what citizens expect from their government and future developers, and proposed solutions to identified problems.

Despite the name, most comprehensive plans are not actually comprehensive. They are referred to that way because they look at the "big picture" and include many integrated considerations affecting the whole community.

Specific policies are ultimately prepared that establish local government positions on the range of issues addressed by the policies. They are intended to provide direction on future public actions, and tend to vary from fairly flexible, to inflexible, and from general to specific. There is no future land use map in a "true" policies plan, although there may be very strong links to budgetary and fiscal tools where policies are tied to particular programs.

OTHER TYPES OF PLANS

Despite the name, most comprehensive plans are not actually comprehensive. They are referred to that way because they look at the "big picture" and include many integrated considerations affecting the whole community. Comprehensive plans typically focus on phys-

ical development (policies, future land use, infrastructure and public services, and capital improvements), plus selected topics deemed locally important (e.g., housing, economic development, parking, transportation and traffic circulation, natural resources, recreation, social services, crime and safety, education, community design, historic and scenic preservation, and so on). Plans in the latter category are sometimes called **functional plans**, and may be prepared separately as addenda to, or as integral parts of the comprehensive plan. In addition, more specific plans may be needed to deal with problems or opportunities in particular parts of the community. These are often called **subarea plans**. Three other common types of plans are **strategic plans**, **watershed plans**, **regional plans**, and **growth management plans**. Each of these is designed to meet very specific community planning needs.



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For every problem, there is one solution which is simple, neat and wrong.

— H. L. Mencken

“Would you tell me, please, which way I ought to walk from here?” [said Alice]. “That depends a good deal on where you want to get to” said the cat.

— *Alice's Adventures in Wonderland* by Lewis Carroll (Charles Dodgson)

Zoning is not all there is:

Implementation of Planning means coordination and use of all government's powers to achieve the goals:

1. Power of Taxation:

- a. Provide tax breaks
- b. To create Downtown Development Authority (DDA) and Industrial development
- c. To create Industrial facilities districts
- d. To provide for Brownfield redevelopment
- e. Bonding for pollution abatement.

2. Power of Spending Money:

- a. To build, or not build, roads
- b. To buy, or not buy (sell or not sell) land
- c. To build, or not build, sewers
- d. To build, or not build, water mains
- e. To build, or not build, storm sewers
- f. To build, or not build, parks
- g. To build, or not build, buildings
- h. To create, or not, a DDA.

3. Police Power:

- a. The zoning ordinance
- b. General ordinances (blight, urban renewal, junk, housing, and so on)
- c. Enabling Ordinances (DDA, Historic District, Industrial Facilities, etc.)
- d. Natural Beauty Roads, etc.

For example, if the Plan says an area should be residential, then obviously the Zoning Ordinance should create a residential zoning district for that same area. But also, then, the Plan should indicate that area would not be subject to creation of a DDA or Industrial, that construction of roads, sewers, water mains, etc. would designed for residential and not built to accommodate another land use.

The Plan needs to tie all these things together so the city's DPW is not contravening the intent of the zoning ordinance, which is not contravening the DDA....

125.36 Municipal planning commission; adoption of master plan, contents, amendment.

Sec. 6. The commission shall make and adopt a master plan for the physical development of the municipality, including any areas outside of its boundaries which, in the commission's judgment, bear relation to the planning of the municipality. The plan, with the accompanying maps, plats, charts, and descriptive matter shall show the commission's recommendations for the development of the territory, including, among other things, the general location, character, and extent of streets, viaducts, subways, bridges, waterways, flood plains, water fronts, boulevards, parkways, playgrounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities or terminals; the general location, character, layout and extent of community centers and neighborhood units; and the general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas; as well as a zoning plan for the control of the height, area, bulk, location, and use of buildings and premises. As the work of making the whole master plan progresses, the commission from time to time may adopt and publish parts thereof, any such part to cover 1 or more major sections or divisions of the municipality or 1 or more of the aforesaid or other functional matters to be included in the plan. The commission from time to time may amend, extend, or add to the plan.

HISTORY: 1931, Act 285, Eff. Sept. 16, 1931;—Am. 1943, Act 163, Eff. July 30, 1943;—Cl. 1948, 125.36;—Am. 1962, Act 138, Eff. Mar. 29, 1963.

125.37 Municipal planning commission; surveys for basis, purpose.

Sec. 7. In the preparation of such plan the commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the municipality and with due regard to its relation to the neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

HISTORY: 1931, Act 285, Eff. Sept. 16, 1931;—Cl. 1948, 125.37.

125.38 Municipal planning commission; adoption of part or whole of plan; public hearing, notice.

Sec. 8. The commission may adopt the plan as a whole by a single resolution or may by successive resolutions adopt successive parts of the plan, said parts corresponding with major geographical sections or divisions of the municipality or with

functional subdivisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the plan or any such part, amendment, extension, or addition the commission shall hold at least 1 public hearing thereon, notice of the time and place of which shall be given, not less than 15 days prior to such hearing, by 1 publication in a newspaper of general circulation in the municipality and in the official gazette, if any, of the municipality, and by registered United States mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the geographical sections or divisions of the municipality affected. The adoption of the plan or of any such part or amendment or extension or addition shall be by resolution of the commission carried by the affirmative votes of not less than 6 members of the commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signature of the chairman and/or secretary of the commission. An attested copy of the plan or part thereof shall be certified to council and to the county register of deeds.

HISTORY: 1931, Act 285, Eff. Sept. 16, 1931;—Am. 1943, Act 297, Eff. Jan. 10, 1942;—Cl. 1948, 125.38.

125.39 Municipal planning commission; public works; powers of council; failure to act; program.

Sec. 9. Whenever the commission shall have adopted the master plan of the municipality or of 1 or more major sections or districts thereof no street, square, park, or other public way, ground, or open space, or public building or structure, shall be constructed or authorized in the municipality or in such planned section and district until the location, character, and extent thereof shall have been submitted to and approved by the commission: Provided, That in case of disapproval the commission shall communicate its reasons to council, which shall have the power to overrule such disapproval by a recorded vote of not less than 2/3 of its entire membership: Provided, however, That if the public way, ground, space, building, structure, or utility be one the authorization or financing of which does not under the law or charter provisions governing same, fall within the province of the municipal council, then the submission to the planning commission shall be by the board, commission, or body having such jurisdiction, and the planning commission's disapproval may be overruled by said board, commission, or body by a vote of not less than 2/3 of its membership. The failure of the commission to act within 60 days from and after the date of official submission to the commission shall be deemed approval. For the purpose of furthering the desirable future development of the municipality under the master plan the city planning commission, after the commission shall have adopted a master plan, shall prepare coordinated and comprehensive programs of public structures and improvements. The commission shall annually prepare such a program for the ensuing 6 years, which program shall show those public structures and improvements, in the general order of their priority, which in the commission's judgment will be needed or desirable and can be undertaken within the 6-year period. The above comprehensive coordinated programs shall be based upon the requirements of the community for all types of public improvements, and, to that end, each agency or department of such municipality concerned with such improvements shall upon request furnish the commission with lists, plans and estimates of time and cost of public structures and improvements within the purview of such department.

HISTORY: 1931, Act 285, Eff. Sept. 16, 1931;—Am. 1943, Act 163, Eff. July 30, 1943;—Cl. 1948, 125.39.

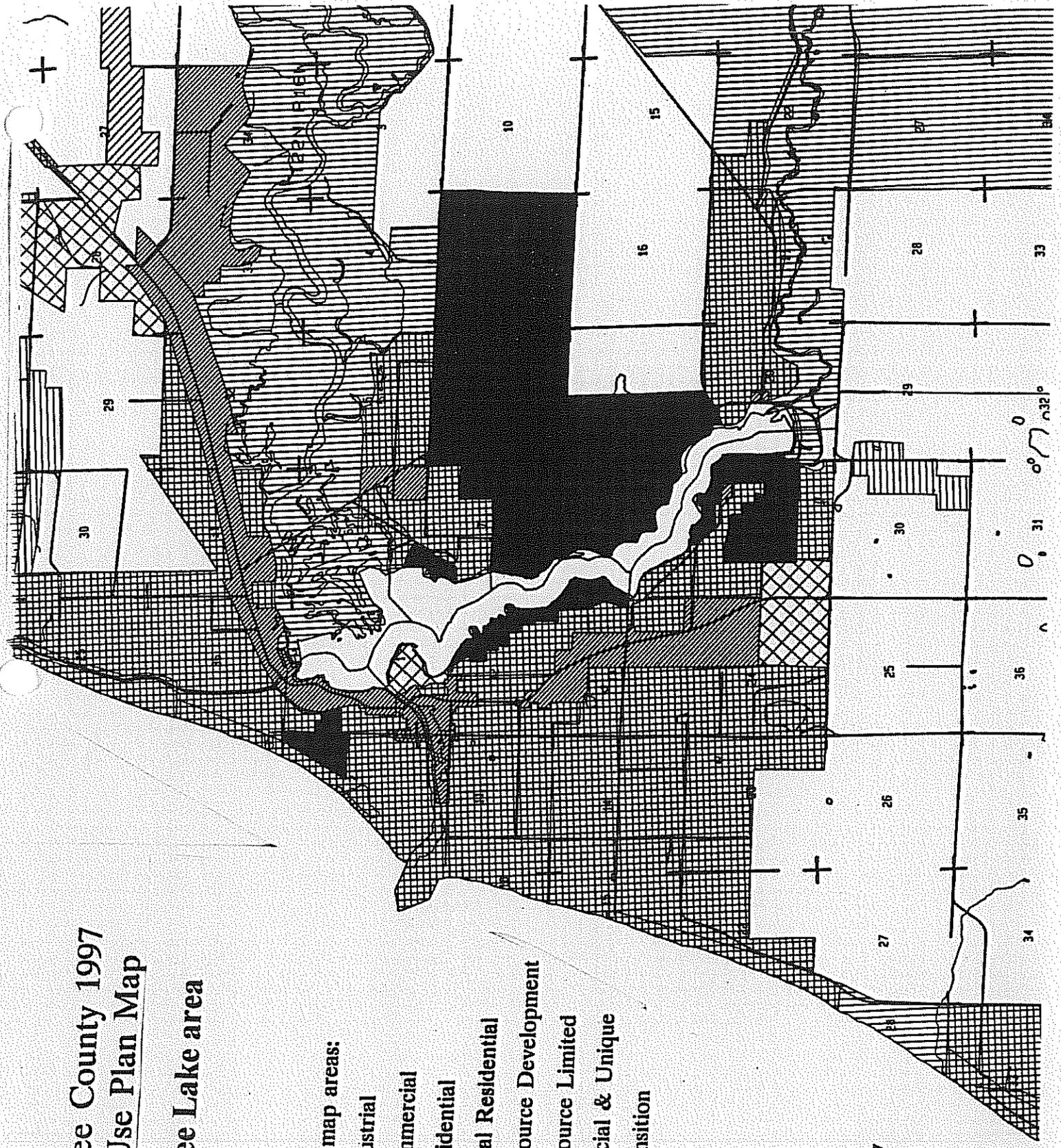
Manistee County 1997 Land Use Plan Map

Manistee Lake area

Key

Land Use map areas:

-  Industrial
-  Commercial
-  Residential
-  Rural Residential
-  Resource Development
-  Resource Limited
-  Special & Unique
-  Transition





Conclusions, Goals, Objectives, Policies of the Land Use Plan

1997

Volume I

This copy printed: August 25, 1997

Adopted August 20, 1997 pursuant to P.A. 282 of 1945, as amended,
(being the County Planning Act, MCL 125.101 *et. seq.*)

This Plan

THE FOLLOWING procedures were used in developing this *Plan*. First, this is the most recent in a series of Manistee County land use plans. As a result this document was not developed from scratch. There are certain aspects of the previous planning efforts in Manistee County which are still valid, and carry on into this *Plan*.

However there were issues resulting in vocal criticism of the county's planning documents and implementation. As a result a Manistee County Land Use Committee of the Planning Commission was appointed (see committee membership on page 95). The appointments were intended to have one member from each municipality in the county; the *Gaaching Ziibi Daawaa Anishnaabe* (Little River Band of Ottawa Indians) and additional representative(s) from various special interest groups (Farm Bureau, economic development organizations, environmental groups, property owner groups, etcetera); the County Board; and County Planning Commission. Appointments were made by the Planning Commission contacting each organization and asking that organization to nominate a representative. In several cases the Commission attempted to seek one individual who could represent more than one organization. In addition the County

Board appointed three additional individuals --two representing the County Growth and Action Committee, Onekama. As the group held meetings, many initial members did not attend, and were dropped from the committee. Those seats representing municipalities were left available for the municipality to appoint a replacement.

The committee, through use of a nominal group technique, identified the major issues they wished to concentrate on. The results of that effort were:

- ▶ Coordination of the four planning and three zoning acts and Michigan's Trend Future reports.
- ▶ Co-existence of agricultural/forest land and other uses.
- ▶ Manistee County Land Use Trend analyses.
- ▶ Tourism, resort and recreational land use for the county; protection of special and unique areas.
- ▶ Transportation, urban sprawl (commercial zoning along highways), town centers.
- ▶ Individualized Subdivisions, subdivision act reform.
- ▶ Protection of surface and ground water quality.
- ▶ Oil and gas development.
- ▶ Airport expansion/expand industrial-commercial zoned areas.
- ▶ Eliminate special use permits, institute one-stop permit shopping, consistent zoning county-wide, better county-wide planning and zoning coordination.
- ▶ Indian Government Understanding/Cooperation.
- ▶ Homestead Tax rate/property taxes.

For each issue, the following procedure was used: After presentation on each topic by respective experts, the Land Use Committee asked questions and discussed the topic. This helped define the issue and the positions of members of the Land Use Committee.

For each of the following topics, subcommittees were to be formed.

- A. Michigan Trend Future.
- B. Agriculture/forest.
- C. Land Use Trend Analysis.
- D. Tourism, resort, recreation, special and unique areas.
- E. Transportation, urban sprawl, Commercial/Industrial.
- F. Individualized Subdivisions.
- F. Special use permits, property taxes, one stop shopping.
- G. Protection of Ground and Surface Water.
- H. Oil and Gas Development (optional).
- H. Indian Government (optional).
- I. Airport expansion.
- #. Proofreading.
- #. Public Opinion Survey.

For subcommittees listed above the protocol was:

- A. The membership of each subcommittee was to be four (or six if necessary) Land Use Committee members who have attended the Land Use Committee meeting on the respective topic. Exceptions could be made for individuals with a particular knowledge of the topic.
- B. Subcommittees were ruled by §7.2.H. of the Planning Commission's by-laws; subservient to the Land Use Committee, allowing informal meetings which do not require quorums, attendance, minutes or public participation.
- C. After all the presentations by experts and discussion by the Land Use Committee on the issue/topic, the Subcommittee was provided with a *summary report* of the presentations, handouts and discussion.
- D. The subcommittee's job was to meet, review and to produce written recommendations to be distributed to the Land Use Committee prior to the meeting when the subcommittee report was to be presented. The report took one of two forms as desired:
 1. Reflect a unanimous consensus of all members of the subcommittee.
 2. Include a majority report of the subcommittee and a minority report of the subcommittee.

- E. The subcommittee report(s) and the *summary report* were mailed to members of the Land Use Committee. The Land Use Committee then acted on each subcommittee report(s), adopting one, adopting one with modification(s), referring it back to subcommittee for more work and then subsequently adopting it.

The presentation of the issues identified in this *Plan* updating process and issues from past versions of the *Plan* are as follows. This is the outline in the *Plan* for each topic.

Found in Part B of this *Plan Supporting Studies and Analysis* (Vol I):

1. A narrative treatment of the present state, or land use analysis for each topic in Manistee County (derived from the *Manistee County Land Use Plan of 1984*, as amended through 1990).
2. Further presentation of the topic (derived from the subcommittee's summary of debate and recommendations on the issue). That summary uses the following outline:
 - A. A listing of:
 - (1) The presentation(s) by experts so one can refer to the minutes of that meeting.
 - (2) All the handouts on the same topic(s)
 - B. A summary listing of "Pro" and "Con" for each topic.
 - C. A list of "other" (which do not fit into 'pro' or 'con') summary points for each topic.
3. Presentation of Land Use Plan public opinion survey results.

Found in Part E of this *Plan* (Vol II):

4. For "Plan Map Areas" summary of the map treatment of the *Plan* for those topics.
5. Presentation of 'plan recommendations': Goals, Objectives, Policies, Strategies/Methods, Results and Monitoring.
6. Summary of the *Plan's* treatment of the topic, near the beginning of that chapter, using the following format:

ISSUES	The issue(s) are significant matters of concern. The means to deal with them are known as Objectives, Policies and Strategies/Methods.	<i>An example is complaint about poor water quality.</i>
GOALS	The goal is the utopia, to provide direction or end-state the Objectives, Policies, Strategies/Methods are to work toward.	<i>Have pure water everywhere.</i>
OBJECTIVES	The objective(s) is an achievable point to describe what is aimed at to resolve the issue.	<i>Maintain acceptable water quality.</i>
POLICIES	The policy(ies) outline government position which is designed to achieve the objectives.	<i>Use standards for water quality factors.</i>
STRATEGIES/ METHODS	The strategy(ies)/method(s) are the actual ways the policy(ies) or goals are carried out.	<i>Define standards and implement controls to achieve them and educate the public.</i>
RESULTS	The result(s) are the anticipated outcome of implementing the policies and methods.	<i>Water quality that meets environmental and human needs.</i>
MONITORING	Monitoring involves checking whether the point raised by an issue is actually being resolved; did all this work? If so, the process stops here. If not	<i>Does water quality improve?</i>

then all steps, including issue identification should be reviewed.

This *Plan*, then is broken down into two volumes. Each is also broken down into the following chapters:

I. Conclusions, Goals, Objectives of the *Plan*.

Part A; Introductory materials (Acknowledgements, Executive Summary, About This *Plan*, Former Plans)

Part B; The Conclusions

Land Use Plan Map

Industry

Commercial

Residential

Rural Residential

Resource Development

Resource Limitation

Special and Unique

Gaaching Ziibi Daawaa Anishnaabe (Little River Band of Ottawa Indians)

Ground and Surface Water

Air Pollution, Solid Waste

Oil and Gas Development

Economic Development & Streamlining

Part C; Appendixes

Part D; Addendums

II. Supporting Studies and Analysis

Part E; Introductory materials (Acknowledgements, Executive Summary, About This *Plan*, Former Plans)

Part F; Background material

Geography

History

Former Land Use

Michigan Trend Future

Natural Resources

Population

Infrastructure

Land Ownership

Existing Zoning

Part G; Appendixes to the Supporting Studies and Analysis

The purpose of addendums is for the Commission to be able to record interpretation of this *Plan*, provide for specifics or explanation of its application, and to prepare model ordinance or other language to implement this *Plan*. The addendum is used to perform these functions without having to formally amend this *Plan*. Conversely, an addendum can not have the effect of amending or changing this *Plan*.

Legal Authority

DOCUMENTATION for proper adoption of this *Plan* are included in Appendix C2 on page 99.

This *Plan* should be considered as a component of the county's comprehensive planning. Other published components and selected special reports are also included in Appendix C3, page 127. If an existing component of the County's comprehensive planning, or parts adopted after this *Plan*, conflicts or contradicts with this *Plan*, then this *Plan* shall supercede the other plan. This is because this part of the County's comprehensive planning is the most encompassing, deals with land, private property and inter/intra-governmental coordination. Other components are intended to be single purpose in topic, geography, or both.

This *Plan* is the same "plan" referred to, and authorized to be adopted by P.A. 282 of 1945, as amended, (being the County Planning Act, MCL 125.101 *et. seq.*). This *Plan* is the Planning Commission's recommendations for the development of the county for land use; zoning; infrastructure; coordination with municipalities, county departments, Manistee County Road Commission, state, Native American and federal

governments. This *Plan* is the formal policy of the County, and its statement of goals, objectives, and intended strategies. This *Plan* is intended to be the document, that once adopted, involves the following:

Following adoption of the county plan or any part thereof and the certification by the commission to the county board of supervisors [commissioners] of a copy of the county plan, no work shall be initiated on any project involving the expenditure of funds by a county board, department or agency unless a full description of the project, its proposed location and extent thereof shall have been submitted to the county planning commission and the report and advice of the commission thereon shall have been received by the county board of supervisors and by the county board, department or agency submitting the proposal. The requirement for planning commission's review shall be deemed to be waived if within thirty days after the proposal has been filed with the commission, the commission fails to furnish in writing, its report and advice upon the proposal. Copies of said report and advice shall be furnished to the county board, department or agency sponsoring the proposal.¹

This *Plan* is also intended to be the "plan" referred to in section 3 of P.A. 183 of 1943, as amended, (being the County Rural Zoning Enabling Act, MCL 125.203). That section reads the county "zoning ordinance shall be based upon a plan...."

This *Plan* can also be, in part or in whole, the "plan" referred to in the respective municipal zoning enabling acts: Section 3 of P.A. 184 of 1943, as amended, (being the Township Rural Zoning Act, MCL 125.273) reads the township "zoning ordinance shall be based upon a plan...." Subsection (2) of section 1 of P.A. 207 of 1921, as amended, (being the City or Village Zoning act, MCL 125.581) reads the city or village "land development regulations and districts authorized by this act shall be made in accordance with a plan...."

This *Plan* is the document which is used for purposes of the Commission reviewing township zoning² and township plans³. In the case of a township plan, Commission approval is required prior to adoption by the township. In its review, the Commission's primary job is to insure a township plan is in compliance with this *Plan*. In the case of a township zoning ordinance, Commission review is required prior to adoption by the township --but here the Commission's action is advisory, or a recommendation. However a township zoning ordinance shall be based upon a plan.⁴ The "plan" the zoning ordinance shall be based upon is subject to approval by the Commission which is a prerequisite to adoption.⁵ In the absence of a township plan, it is intended this *Plan* shall be the plan for those unincorporated area(s).

In finding compliance with this *Plan*, one should be guided by content and apparent intent. It is not important that a township name its zoning districts in the same manner as this *Plan's* Plan Map Areas. The test for compliance should be substantial agreement between uses permitted in an area with the uses listed as intended in the explanations of this *Plan's* Plan Map Areas.

Further, it is possible for township zoning, or planning, to combine two Plan Map Areas districts, or to further subdivide this *Plan's* Plan Map Areas. Again, intent or net result of what are the land uses should be the test.

To conduct the zoning review, the county should also find that proper procedure for adoption has been followed, proper drafting of the ordinance has been done and that the ordinance has been reviewed in light of all other applicable statutes and law. This finding of fact should be based on a legal opinion provided by the township's attorney. Some, but not all, applicable statutes, federal programs and county ordinances are listed in Appendix G2 of this *Plan* Supporting Studies and Analysis (Volume II).

¹ Section 5 of P.A. 282 of 1945, as amended, (being County Planning Act, MCL 125.105).

² Pursuant to section 10 of P.A. 184 of 1943, as amended, (being Township Rural Zoning Act, MCL 125.280.)

³ Pursuant to section 8 of P.A. 168 of 1959, as amended, (being Township Planning act, MCL 125.328.)

⁴ Section 3 of P.A. 184 of 1943, as amended, (being the Township Rural Zoning Act, MCL 125.273).

⁵ Pursuant to section 8 of P.A. 168 of 1959, as amended, (being Township Planning act, MCL 125.328.)

To use this *Plan* as a part or all of the plan for incorporated municipalities (city or village) it must first, in whole or in part, be adopted as part or all of that city or village's official plan.⁶ That adoption must be done by the city or village in accordance with the procedures contained in P.A. 285 of 1931 (being the Municipal Planning Act, MCL 125.31 *et. seq.*)

In Manistee County, the political philosophy is for municipal governments (township, city and village) to assume the primary role in zoning, land use regulation and basic government services. It is recognized, however, that coordination at a county level is needed. An overall policy from the county which provides direction and creates a point of cooperation between townships and municipalities in the county is important. Such cooperation is necessary for any progress to be made in the development of our area or in a wise and unified approach to land use controls. Zoning exists in 13 townships, four villages and Manistee City. Springdale Township⁷, and Bear Lake Village are not zoned.

Use of this *Plan* is important. It is especially important in Manistee County where local governments create and administer zoning and land use planning but county agencies have the power to make decisions which can undermine or enhance local government efforts. This document provides an outline of further development. It is intended to guide public decisions for new home development, for placement of zoning ordinance district boundaries, new road building construction, so each agency and government is coordinated with each other.

Also, this document is an important tool for lobbying at the state and federal government level. A considerable amount of land in state and national forests exist in the county. The U. S. Forest Service in 1995 owned 136.9 square miles of land (24½ percent of the total county land area), DNR owned 38.8 square miles of land (6.96 percent). The management of both those forests have an impact on land use and local planning. As much as possible local government and the county should be working to influence decisions made by the DNR and the United States Forest Service.

Finally, this *Plan*, as with any plan, is not cast in concrete. It is government or public policy. It is the intent that government actions will adhere to this plan and its policies. However, there will be situations where exceptions to the policies and intent of this *Plan* should be expected. A finding that a greater public good will result from not following this *Plan* should be made by the Commission. Lacking such a finding, by the Commission, indicates compliance to this *Plan* is the most appropriate. Justified exceptions to this policy may occur when specific unusual or unique circumstances in the natural features, existing land uses or local zoning show particular site-specific characteristics which are appropriate for an exception.

⁶ Second paragraph of section 5, P.A. 282 of 1945, as amended, (being County Planning Act, MCL 125.105).

⁷ Although Springdale Township is not zoned, lands to 400 feet on each side of the Betsie River are subject to DNR Natural River administrative rules --basically a zoning/land use regulatory system.