

Regular Meeting of the Casco Township Planning Commission

March 2, 2016 – 7:00 PM

Members Present: Chairman Daniel Fleming, David Campbell, Lewis Adamson, Greg Knisley, Paul Macyauski and Judy Graff

Absent: Dian Liepe

Staff Present: Janet Chambers, Recording Secretary

1. **Call to order and review of agenda:** The meeting was called to order at 7:05 pm. There were no changes to the agenda.
2. **Constitutional “Moment”:** Chairman Fleming’s Constitutional Moment (Attachment #1) noted the importance the Declaration of Independence (which establishes a nation), for the context it brings to understanding the Constitution (which establishes a government).
3. **Public Comment:** None
4. **Approval of minutes of 01/06/2016:** A motion by Campbell, seconded by Macyauski to approve the minutes of January 6, 2016 as printed. All in favor. MSC
A letter from Supervisor Overhiser will be submitted to the minutes of 1/6/16 (Attachment #2).
5. **Report from Township Board representative, Judy Graff:** Graff reported on the Feb. 15, 2016 Board of Trustees meeting. The report included: An update on road maintenance schedule for 2016. Approval of new special assessment district for water & sewer services on 102nd Street. Casco property in Miami park bluff & beach area will be surveyed for signage. A one year assessment of the policing services by Officer Katje to be given at the March Board meeting. Discussion of proposal for Casco Township to join the Water & Sewer Authority. South Haven Hospital seeking a partnership.
6. **Report from ZBA representative Paul Macyauski:** There were 2 variances granted to a farm owner who wanted to split his farm off from a house on the property. The property division resulted in two setback variances.
7. **Report from Water/Sewer representative Lou Adamson:** Adamson reported that all of the mandatory hookups in Casco Township have been taken care of. South Haven Township still has some mandatory hookups that have not been completed. There was discussion on enforcement of the mandatory hookup and legal options. Discussion about the proposal of Casco Township joining the Authority continued. Adamson stated Casco Township will have to pay expenses whether Casco joins the Authority or not. Joining the Authority would give Casco a seat at the voting table.

Some Planning Commission members expressed concern about not knowing the cost to Casco Township if they join the Water/Sewer Authority. They felt costs to Casco Township should be clearly spelled before Casco Township joins the Authority.

8. Old Business – Planning Commission Bylaws: comments or suggestions:

Chairman Fleming asked commissioners to submit anything in the Bylaws they would like considered for review. Campbell would like the “Conflict of Interest” section to be reviewed. Campbell would also like “shall” “could” “can” and “may” statements reviewed.

Chairman Fleming asked that a letter from Supervisor Allan Overhiser be submitted to the January 6, 2016 minutes (Attachment #2) stating that the Township Board reviewed the Master Plan and determined that no change is needed at this time. *Campbell stated he feels the Township needs to take a “strategic” long term view in zoning amendments in the future.*

9. New Business – Observations on the South Haven home rental issue: Chairman Fleming stated with changes and growth there is ebb and flow of opportunities. As things change over years, towns boom, slow down, and boom again, opportunities come and go. Practical things, such as noise or traffic, can be handled, the emotional side of change is more difficult.

Discussion ensued about short term rental. South Haven Township is dealing with short term rental issues. Casco Planning Commission will have to deal with short term rental in the future. Campbell submitted a South Haven Tribune article about South Haven’s Planning Commission discussing an ordinance to regulate short term rentals. (Attachment #3)

Chairman Fleming had several items that will come up before the Planning Commission and asked commissioners to begin thinking about them. A farmer will be requesting a restaurant in an agricultural district. A resident is interested in putting up a 100 ft. wireless tower for internet. Jensen’s campground would like to expand a non-conforming business.

Campbell submitted an article, “*Model Language to Assist Local Governments in Adopting a Great Lakes Shoreline Protection Overlay Zone*”. (Attachment #4)

Campbell submitted an article, “*Best Places to Live*” giving demographics of Casco Township population by occupation. (Attachment #5)

10. Public Comment: None

11. Closing comments and adjournment: A motion by Graff, supported by Adamson to adjourn. All in favor. Meeting adjourned at 8:40 PM.

Next Planning Commission meeting will be Wednesday, May 4, 2016

Minutes prepared by Janet Chambers, Recording Secretary

Attachment #1: Constitutional Moment

Attachment #2: Letter from Supervisor Allan Overhiser, Re: Master Plan to be attached to 1/6/16 minutes

Attachment #3: South Haven Tribune article, Re: Short Term Rental in City of South Haven

Attachment #4: “*Model Language to Assist Local Governments in Adopting a Great Lakes Shoreline Protection Overlay Zone*”

Attachment #1

March 2, 2016

For our Constitution moment this evening, I would like to read from the Declaration of Independence. Although the Declaration of Independence precedes the Constitutional Convention by eleven years, it is important for the context it brings to help us understand the Constitution.

The Declaration establishes the nation. The Constitution establishes the government. When Lincoln said, "Fourscore and seven years ago, our fathers brought forth upon this continent a new nation...", he was referring to the Declaration of Independence. (1863- 87 = 1776)

By the time of the Declaration of Independence, there had been over 150 years of freedom and self government in the colonies.

The Declaration of Independence is important for us as Planning Commissioners, not only for the general context of understanding the Constitution, but also for some of the specific items mentioned such as "the pursuit of happiness" (which is a reference to property rights), "tyranny", and [government] "abuses and usurpations."

Looking at the document itself, the actual declaration of independence comes in the last paragraph.

The first two paragraphs give general reasons for the declaration.

The middle part gives the specific reasons.

IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.-- That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:
For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:
For cutting off our Trade with all parts of the world:
For imposing Taxes on us without our Consent:
For depriving us in many cases, of the benefits of Trial by Jury:
For transporting us beyond Seas to be tried for pretended offences
For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:
For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:
For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.
He has abdicated Government here, by declaring us out of his Protection and waging War against us.
He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.
He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.
He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.
He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Attachment #2

To: Planning Commission

@ 1-6-2016 P.C. Mtg.

From: Allan Overhiser

RE: Five Year Review

The Township Board reviewed the current Master Plan Goals and Objectives and concluded that no change is needed at this time (five year review). The board considered current and past issues that have come up and also tried to look five years down the road. The board felt that the Master Plan, although not perfect, gives adequate direction, guidance, and flexibility to allow changes that may be needed in the Zoning Ordinance given the knowledge of the issues we have today.

In addition, some issues may be better addressed through ordinances other than the zoning ordinance. As issues arise and are considered please feel free to discuss them as our goal should be to find the best practical solution.

Thank you for your diligence and commitment. I appreciate all you do and I feel good knowing that we have a good group in place to conduct business and meet the challenges.

Sincerely,



Allan Overhiser

Note: There will be a special meeting at South Haven City Hall on January 27th at 6pm to hear information regarding the planned Sewer and Water improvements and the proposed regional Water and Sewer Authority

South Haven Tribune • South Haven, Michigan

SUNDAY, JAN. 10, 2016 — 3A

SH Planners take a hard look at draft of rental ordinance

BY ANDREW LERSTEN
FOR THE TRIBUNE

South Haven's Planning Commission Thursday night held its first discussion on what an ordinance to regulate short-term vacation rentals might look like.

And Chairman Dave Paull stressed that the discussion is just in the early stages.

"There's quite a bit of work to be done," he said.

The commission will continue to hold 10 a.m. meetings every Wednesday, starting next week, to start hammering out specifics. The public can attend.

There will likely be a required registration of short-term rental properties, though things like fines for noncompliance need to be considered.

The question of whether some or all current vacation rental properties would be grandfathered under a new ordinance has not yet been decided.

Another big issue planners will have to address is whether an occupancy limit on the number of renters allowed in a home should be included.

The city allows short-term rentals of two days or more, but has little or no regulations on their location, size or other aspects of their operations.

The city briefly had a rental registration ordinance in place for a few months in late 2009 and early 2010, but the City Council rescinded it after Mayor Bob Burr succeeded Dorothy Appleyard.

Zoning Administrator Linda Anderson said there will be plenty of opportunities for the public to weigh in on the debate. Both the planners and City Council will hold public hearings before any new ordinance is adopted, she said.

In November, the council adopted a six-month moratorium on new, large homes being built with short-term vacation rentals in mind. It requires the planners to do site plan reviews of certain, large new homes.

Action was recommended by the planners, and was spurred by the construction of a large new house on Cass Street that was built for the primary purpose of being used for short-term

"It's a commercial business. It's a lodging facility. This violates the intention of our moratorium."

Dave Paull
Planning commission chairperson

rentals.

During the planners' meeting Thursday night, resident John Lohnstorfer said he thinks the minimum rental should be set at a week, not two days; and there should be a 10-occupancy limit on renters. He also urged that no rental properties be grandfathered under the new ordinance.

In a related matter, the planners voted to deny approval of building permits for a proposed, new 7,371-square-foot home at 134 North Shore Drive, in

the RM-1 residential district. The home would have 10 bedrooms and nine toilets.

Owner Michael Burnett of Chicago admitted the house would not be used as his primary residence, and there would be short-term rentals there. Paull used the duck analogy for the house.

"If it quacks like a duck, walks like a duck and looks like a duck, it is a duck," Paull said. "It's a commercial business. It's a lodging facility. This violates the intention of our moratorium."

He continued: "We have a moral responsibility beyond simply the administration of the law. We have the ability to interpret it, or at least act on behalf of the citizenry."

The building permit application came in Nov. 12, just days before the moratorium went into effect.

The city had erroneously issued building permits for the property, but rescinded them after it was discovered that a planning commission site review is required for new construction in the RM-1 district, Anderson said.

**Model Language to Assist Local Governments in Adopting a
GREAT LAKES SHORELINE PROTECTION OVERLAY ZONE**

**Draft Revision: May 25, 2001
Prepared by the Michigan Land Use Institute
Contact: Jim Lively, 231-882-4723**

A shoreline protection overlay is a set of special development considerations adopted by a local planning commission. It does not alter the underlying zoning. The overlay simply sits on top of the existing ordinance's land use requirements, and only applies in a legally defined shoreline zone. A shoreline overlay is a way for coastal communities to use existing zoning to 1) protect coastal property values by maintaining the attractive natural character, 2) prevent water pollution and damage to buildings by controlling erosion and 3) maintain the high quality of life on the shoreline by maintaining native vegetation and wildlife habitat.

A companion booklet titled Yours to Protect — A Guide to Sensitive Shoreline Development explains why a coastal community should adopt the components of this ordinance. It addresses the concerns of shoreline property owners, as well as how these regulations fit with other state and county regulations. It also details how to adopt an overlay amendment to an existing ordinance. If you would like a copy of this guide, contact the Michigan Land Use Institute.

Any model ordinance should only be considered as a template to assist a local government interested in adopting additional zoning provisions. It is generally not recommended to adopt entire model ordinance language verbatim - instead it should be used as a starting point. Most of the recommendations in this ordinance come from other communities where they have been successfully implemented into their local zoning ordinance. This document includes specific legal language that could be incorporated into a zoning ordinance. It also contains instructions, printed in italics, to help better understand how to adopt these provisions.

Contents

- I. 'Definitions' Article*** — Insert unique shoreline definitions, included in the overlay language, into your zoning ordinance's 'Definitions' article.
- II. 'District and Maps' Article*** — Add the shoreline protection overlay boundary into your 'Map' article.
- III. 'Great Lakes Shoreline Protection Overlay Zone' Article*** — Add a new article to your ordinance called 'Great Lakes Shoreline Protection Overlay Zone' as a new zoning district. This is 'model' language that communities should use as guiding principles.
- IV. 'Site Plan Review' Article*** — If your community zoning ordinance already has a site plan section, it might be best for local officials to put the shoreline site plan review process additions into your existing site plan review article. These additions will simply supplement the existing language in the site plan review section of your ordinance, to protect your community's valuable coastal resources.

(1)

Article I. Definitions

When adopting any technical zoning amendment it is important to include definitions of any terms introduced that have specific legal meaning. If those terms are not currently included in the definitions article of the existing ordinance, they should be added. The terms listed below are some that may be included in a shoreline overlay, and should be defined by the local community and added to the ordinance.

Ordinary High Water Mark

— The ordinary high water is established legally by the U.S. Army Corps of Engineers for all of the Great Lakes. The 1986 lake level is generally considered the most reasonable high water mark to use for legal definitions.

Mature Forested Vegetation

— This can be defined as trees, generally grouped or in a line, of a minimum diameter at breast height (dbh). A dbh of 4" is a reasonable minimum size for most mature forested vegetation.

Foredune Crest

— A foredune is the first dune landward of the ordinary high water mark, generally not stabilized with mature vegetation. The crest of the foredune is the highest elevation, and frequently changes over time due to wind erosion.

Steep Bluff

— A bluff is generally comprised of unsorted glacial till (sand, gravel, clay and cobbles) that rises from the beach. A minimum height for a bluff from the beach to the crest, is usually at least 10'. It may also be useful to define a minimum slope for a bluff to be considered steep. A slope of 25% may be a reasonable minimum, although bluffs are frequently much steeper.

Principle Structure

— A principle structure is generally considered the structure necessary for the land use for which a permit is being requested, usually a house or commercial building. It is distinguished from accessory structures, which may include garages, sheds, storage buildings, or equipment structures.

Article II. 'Districts and Maps'

An overlay zone boundary is an area that is specifically mapped out and zoned with extra protective measures that coastal communities use to safeguard unique shoreline resources. The overlay zone boundary describes the geographic area in which the shoreline protection overlay requirements apply. The boundary shall be clearly drawn on the official zoning district map.

There are two approaches a local government can implement into their zoning ordinance when creating a protective overlay zone boundary, which are described below. Be certain to only include the language from the boundary type selected.

Option 1: Fixed-Distance Shoreline Protection Overlay Boundary

A fixed-distance boundary is a line that is drawn parallel to the shoreline or ordinary high water mark at a fixed distance. It should extend across all zoning districts along the Great Lakes shoreline. The distance a community selects is discretionary, although 500 feet is generally recognized as a minimum distance to protect coastal features. This one-distance-fits-all boundary may leave some valuable shoreline resources unprotected if they fall further than the fixed distance from shore. However, this is the simplest and most inexpensive approach to establishing a shoreline overlay boundary.

1. The Great Lakes shoreline protection overlay zone includes all land lying within 500 feet of the 1986 U.S. Army Corps of Engineers High Water Mark, and as depicted on the Official Zoning Map for (*insert local government name*). This boundary extends across all underlying zoning districts.

Option 2: Resource-Based Variable Shoreline Protection Overlay Boundary

A resource-based variable boundary is a line based on a scientific inventory of natural shoreline features, such as wetlands, dunes, bluffs, critical habitat, etc. The resource-based variable boundary approach maps all important shoreline resources, and establishes the boundary line sufficiently landward of them (approximately 200') to ensure that any development near these resources is within the overlay boundary.

The local government generally conducts the resource inventory with the assistance of a qualified naturalist or biologist. This approach is more expensive and requires more complex mapping, but is also more effective at protecting the resource, and more fair to property owners.

2. The Great Lakes shoreline protection overlay zone includes all land lying within the boundary depicted on the Official Zoning Map for (*insert local government name*). This boundary extends across all underlying zoning districts. The boundary was established based on a scientific inventory of coastal resources, which is available for review at the government office. The boundary is set at least 200' back from any sensitive resource, as delineated in the inventory.

Requirements to Receive Land Use Permit

Before conducting any construction, earth moving or removal of vegetation within the Great Lakes shoreline protection overlay zone, all of the following criteria must be met:

- a) A site plan meeting the requirements outlined in Section 1.3 shall be submitted to the Zoning Administrator;
- b) A land use permit shall be withheld pending verification that the applicant has received all required county, state or federal permits, including but not limited to septic and water well permits; soil erosion and sedimentation control permits; wetland permits; flood plain and culvert permits; driveway permits; or building permits.
- c) This ordinance is intended to supplement, and not abrogate, the Michigan Department of Environmental Quality's authority over the review of applications and issuance of permits for construction activities under the provisions of the Sand Dune Protection and Management Act (Part 353, Natural Resources Environmental Protection Act, MCL 324.35301 et. seq); the Shore Lands Protection and Management Act, (Part 323, Natural Resources Environmental Protection Act, MCL 324.32301 et. seq.), the Endangered Species Protection Act (Part 365, Natural Resources Environmental Protection Act, MCL 324.36501 et. seq.), and the Wetland Protection Act (Part 303, Natural Resources and Environmental Protection Act, MCL 324.30301 et. seq.). If a permit or approval has been issued by the State of Michigan for a building, structure, or any grading, filling, earth moving, clearing, or removal of vegetation within the jurisdiction and scope of regulations set forth above, a copy of such permit shall be filed with the Zoning Administrator, and such permits or approvals shall be attached to and made a condition of performance for any permit issued under this Ordinance;

If all of the conditions above are met, a land use permit for the proposed activity shall be approved according to the requirements and standards of this Ordinance.

1.3 Setback Requirements

The setback requirements suggested below are dependent on the shoreline resources found on the property. The shoreline type could be delineated and mapped by a Coastal Resource Inventory, and more specifically located on the applicant site plan. If a local government has not conducted a Coastal Resource Inventory, the responsibility to identify and delineate shoreline types and boundaries falls on the landowner, who may need to contract for professional assistance.

1. All structures proposed to be built within the Great Lakes shoreline protection overlay zone shall be set back according to the requirements below, except for the following uses: pump houses, recreational docks, storm water and erosion control devices, picnic tables, benches, recreational watercraft, and stairways and walkways.
2. Within the shoreline protection overlay boundary, the following setback requirements apply:
 - a) No principle structure shall be allowed within 75' of ordinary high water mark;
 - b) No structure shall be constructed lakeward of any adjacent existing structure;
 - c) On lots with a line of mature forested vegetation within 100' of the ordinary high water mark, the lakeshore side of the principal structure shall be set back at least 20 feet landward from the edge of predominantly forested vegetation;
 - d) On lots lacking a line forested vegetation within 100' of the ordinary high water mark (rocky or sandy beaches), all structures except those specifically exempted above shall be set back

- 100 feet from the 1986 High Water Mark.
- e) On lots with a foredune, no structure shall be constructed within 25' of the crest of the first lakeward sand dune;
 - f) On lots with a steep bluff which begins within 100 feet of the 1986 High Water Mark all structures shall be set back at least 50 feet from the top of the bluff;
 - g) On lots with coastal wetlands, a setback of 75 feet shall be maintained from the wetland.
3. If a greater setback is required under the provisions of any state or federal law than is required by this section, then such greater setback requirement shall apply. Where the imposition of the setbacks in the above table precludes the location of a dwelling or other primary structure, the applicant may request a variance. Any variance must be obtained from the Zoning Board of Appeals in accordance with Article (insert applicable number). To obtain a variance, the applicant must show there is no feasible and prudent location or design on the property and that the dwelling or structure will otherwise meet the intent and spirit of this Article. Conditions may be imposed as part of the variance where they are reasonably proportional to the risks regulated by this Article.

Section 1.4 Coastal Vegetative Buffer Zone Requirements

Maintaining a natural strip of vegetation along the shoreline is very important to maintaining the aesthetic character and ecological integrity of the shoreline. However, to be effective, it requires that property owners be made aware of the benefits of the buffer to prevent future vegetation removal. These provisions, while extremely important, are difficult to enforce over time. A local government should consider working with other local landowner education organizations to maintain a educational campaign about the benefits of vegetative buffers.

1. Vegetative buffer zones protect water quality and shoreline habitat, preserve scenic and aesthetic character, and control erosion and flooding. To preserve the fragile and transient nature of the coastal environment, a Coastal Vegetative Buffer Zone shall be maintained 100 feet landward of the 1986 Ordinary High Water Mark. The vegetated zone with native shoreline species shall serve as a natural transition between the shoreline and adjacent upland development.
2. Within the Coastal Vegetative Buffer Zone, natural vegetation shall be retained in a natural, undisturbed condition. Only minimal alteration of vegetation using selective pruning or thinning techniques necessary to obtain a view of the water shall be acceptable. Removal of trees, shrubs, ground cover and other native vegetation shall require review and approval of the Zoning Administrator to ensure impacts to the coastal resources are minimized.

The following standards apply to all uses within the vegetative buffer zone:

- a) Vegetation removal shall be limited to the amount necessary for the development of the site. Protection of tree crowns and root zones shall be required for all trees;
- b) Vegetation shall be restored in areas affected by construction activities. Vegetation must be indigenous to the Great Lakes shoreline. Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion. Stumps of trees cleared or harvested within the vegetative buffer zone must remain undisturbed in the ground;

- c) Tree removal shall be limited to removal of fallen, dead or dangerous trees and selective cutting of trees (trees must be at least 10 feet apart) to provide a filtered view of the water. Cutting of trees on the parcel is limited to 30 percent, but clearings must be limited to 30 feet per 100 feet of the shoreline width. Those trees to be removed shall be so identified and approved by the zoning administrator.
3. In cases where native vegetation does not exist within a buffer zone, the landowner is encouraged to replant the buffer zone with native plant species.

Article IV. Site Plan Review

Property owners already prepare plot plans for other local officials, such as the county sanitarian and the soil erosion control officer. To protect valuable views and fragile shoreline resources, however, it is important for property owners within the shoreline protection overlay Zone to conduct a more thorough site plan review. The site plan requirements for residential applicants are not designed to be burdensome, but are meant to give the zoning administrator or planning commission enough information about the intended activity to ensure that the site plan approval standards are met. The standards and requirements outlined below are the minimum suggested for residential uses, and should not substitute for more strict existing requirements for commercial, industrial or special uses.

Site Plan Approval Standards

In order to conduct a site plan review, the ordinance must clearly state the standards against which the site plan will be reviewed. These standards must follow the intent of the ordinance, not be arbitrary or capricious, and define the expectations of the reviewer as clearly as possible. These standards only apply to developments in the shoreline overlay boundary, and should be considered in addition to any site plan review standards in the existing ordinance.

In addition to site plan review standards set forth elsewhere in the (*insert name of local government*) Zoning Ordinance, the following standards shall be considered by the Zoning Administrator or Planning Commission when reviewing the site plan submission:

1. The site plan shall demonstrate that the impact to fish, birds, wildlife and native vegetation is minimized by preserving natural habitat;
2. The site plan shall demonstrate that erosion and sedimentation shall be prevented, and that the risk of structural loss due to future changes in lake levels is minimized;
3. The site plan shall demonstrate that the natural character and aesthetic values of the shoreline is maintained by minimizing the visual impact of the development;
4. Site development shall be fitted to the topography and soil so as to create the least potential for vegetation loss and site disturbance;
5. All structures shall be located to maintain an open and unobstructed view to the waterfront from adjacent properties, roadways and pedestrian ways, to the maximum extent possible

Site Plan Data Required

The data listed below are a recommended minimum for residential site plan review, and should not substitute for more strict existing requirements for commercial, industrial or special uses.

If a site plan is not required by the requirements of the underlying zoning district, one shall be submitted with an application for permit under this Ordinance. All applicants shall submit site plans that contain the following information:

(7)

- a) Two complete sets of plans that show the placement of any buildings or other structures, delineates a perimeter line encompassing all proposed activities, and identifies the location and extent of the shoreline protection overlay zone boundary;
- b) All shoreline types and coastal resources should be identified, including bluff ridges, wetland boundaries, dune crest, ordinary high water mark, and tree line (as defined by trees with a minimum of 4" dbh), first landward boundary of native grasses, etc.;
- c) A description of outdoor lighting;
- d) A plan for controlling traffic to the lakefront, detailing construction and maintenance of paths, stairs or boardwalks;
- e) A grading plan that delineates areas of cut and fill, and identifies changes in topography and drainage. If the area to be graded exceeds 5,000 square feet the applicant shall submit a map showing the existing contours of the site and finished contours to be achieved by grading. Contours shall be sufficiently detailed to define the topography over the entire site (generally at two-foot intervals);
- f) Detailed drawings and descriptions of all temporary and permanent soil erosion and sedimentation control measures, and bank stabilization measures as submitted to the Soil Erosion Control Enforcement Officer;
- g) Detailed drawings delineating areas to be cleared of vegetation before and during development activities, with area calculations and descriptions of the vegetation to be removed, and detailed drawings and descriptions of proposed vegetation restoration for those same areas;
- h) Detailed drawings that show the location of existing structures on the property, as well as dwellings on neighboring parcels which may be obstructed from a lakefront view by the proposed development;
- i) The site plan shall identify the location of property, including a full tax identification number, location of the nearest public road intersection, a north arrow and map scale;
- j) The site plan shall include the name, address, professional status, license number (if applicable), and phone number of the person who prepared the plan;
- k) If the area to be cleared of vegetation exceeds 15,000 square feet) a Natural Features Inventory and Biological Survey of the area within a 25-foot buffer of the perimeter of proposed activity shall be required. The Survey shall include a summary of plant species, and especially identify any rare, threatened or endangered species, and identify the likelihood of any rare, threatened or endangered wildlife using the property. A qualified biologist shall prepare the survey.

Site Plan Review Procedures

To minimize the amount of review by the planning commission for small land use changes, it may be desirable to authorize the Zoning Administrator to conduct the site plan review with the landowner.

1. On parcels with less than 120 feet of Great Lakes frontage, a permit for the construction of one single family dwelling, or accessory buildings or structures to a proposed or existing single family dwelling shall be subject to site plan review and approval by the Zoning Administrator. The Planning Commission shall review and approve permits for the construction of any commercial or industrial land use, or residential applications for more than one dwelling, or any other structure, or clearing and grading, or other earth removal activities on lots or parcels with more than 120 feet of Great Lakes frontage.

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TRANSPORTATION	Average Commute Time is 26.08minutes. The National Average is 25 minutes.
REAL ESTATE	The median home cost in Casco township Allegan is \$134,800. Home appreciation the last year has been 0.18 percent.
SCHOOLS	Casco township Allegan public schools spend \$12,457 per student. The average school expenditure in the U.S. is \$12,435. There are about 19.2 students per teacher in Casco township Allegan.

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Income between 75K and 100K	5.61%	12,25%
Income between 100K and 150K	8.74%	12.82%
Income between 150K and 200K	1.29%	4.78%
Income greater than 200K	3.54%	4.64%
POPULATION BY OCCUPATION		
Management, business, finance	3.78%	14.56%
Engineering, computers, science	1.38%	5.24%
Community, social services	2.59%	1.88%
Legal	0.00%	1.17%
Education, library	7.48%	6.10%
Arts, design, media, sports, entertainment	1.53%	1.88%
Healthcare practitioners and technology	3.98%	5.49%
Healthcare support	2.09%	2.47%
Firefighters, law enforcement	2.39%	2.24%
Food preparator, serving	3.88%	5.51%
Building maintenance	6.97%	3.97%
Personal care	1.79%	3.54%
Sales, office, administrative support	20.10%	24.93%
<input checked="" type="checkbox"/> Farming, fishing, forestry	13.73%	0.79%
Construction, extraction, maintenance/repair	9.35%	8.50%
Production, transportation, material moving	19.10%	12.10%

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