



Bringing Knowledge to Life

Recent Amendments
to
Michigan's Planning & Zoning
Laws

Michigan State University Extension
February 2002

Land Use Area of Expertise Team

**"Thirty seven million acres
is all the Michigan
we will ever have"**

Former Governor William G. Milliken

Michigan State University
Extension

Bringing Knowledge to Life

• Authors:

- Gary Taylor, State & Local Government Extension Specialist
 - taylorg@msue.msu.edu (517) 353-9460
- Kurt H. Schindler, County Extension Director, Wexford and Land Use Area of Expertise
 - schindlk@msue.msu.edu (231) 779-9480
- Rod Cortright, County Extension Director, Charlevoix and Land Use Area of Expertise
 - cortrigh@msue.msu.edu (231) 582-6232

Michigan State University
Extension
Bringing Knowledge to Life

- Presenter

This program will cover:

- A. MSU Extension & Michigan Society of Planning
- B. Overview of 2001 Legislation
- C. Zoning Referendum Petition amendment.
- D. Coordinated Planning amendments to Planning Enabling Acts
- E. Open Space/Cluster amendments to Zoning Enabling Acts

Handouts

- On green paper, duplication of these slides.
- On yellow paper, detailed outline of material covered.
- On white paper, handouts lettered A-L, specific additional materials referred to through this program.

Michigan State University Extension

- 1912-1914: Extension started nation-wide and in Michigan
- Extension is part of the Land Grant University in each state
- Funding is from three main sources:
 - Federal Government (U.S. Department of Agriculture)
 - State of Michigan (Michigan State University)
 - Local County Board of Commissioners
- In Michigan, there is an Extension office in each of 82 counties
- Campus faculty are resource people to do research, translate research results into education programs for county Extension offices.
- Extension focuses on three main areas of emphasis with 32 Area of Expertise Teams
 - Agriculture and Natural Resources
 - Children, Youth and Family
 - Community and Economic Development
- This program is a result of Land Use Area of Expertise Team as part of Community and Economic Development focus.

Michigan Society of Planning

- A state-wide non-profit devoted to furthering planning and planning education in Michigan
- Membership over 4,000
- Your voice in Lansing
- Offers many educational programs on planning and zoning
- If your community is not a member, it should be

B. Legislative Overview for 2001

- Planning Process
 - A plan is...
 - New adoption requirements
 - Application
 - Miscellaneous
- Open Space Zoning

In a nutshell...

B. Legislative Overview

- Increase notice and opportunity to comment on planning efforts
- Change procedures for adopting plan
- Changes number of signatures required for referenda on township zoning ordinance
- Mandate cluster development provisions in local ordinances (open space zoning)

Planning Process Amendments

B. Legislative Overview

- PA 263 – Township Planning Act [handout A]
- PA 264 – Municipal Planning Act [B]
- PA 265 – County Planning Act [C]

– Effective Date: January 9, 2002

A Plan is...

B. Legislative Overview

- A plan shall address land use issues and may project 20 or more years into the future.
- It can be the plan that zoning is based upon.

Notice of Plan Preparation

B. Legislative Overview

- Planning commission mails notice of intent to plan, and requesting cooperation, to:
 - All contiguous governments,
 - All governments within boundaries (for a county),
 - Railroads, utilities that operate within boundaries, and any government entity that registers for this purpose.
 - Townships, cities, village: The county planning commission (or county board and regional planning if there is no county planning commission)

Legislative Body Review

B. Legislative Overview

- Proposed plan is submitted to legislative body for review and comment.
- If legislative body approves distribution of proposed plan,
 - Proceed with the process
 - In city, village and counties: Planning "shall not proceed further unless [legislative body] approves distribution" (Language in township planning act is different, but may have the same effect.)

Request for Comments

B. Legislative Overview

- Distribute plan to those entities to whom notice was originally sent.
- City, village, township planning commissions: Must also send signed statement to county planning commission (or county board of commissioners or regional planning) that notice & mailing requirements to local governments have been met.

Submission of Comments

B. Legislative Overview

- Cities, villages, townships, utilities, others requesting mailing have 65 days from receipt to submit comments.
- For city, village, and township plans copies of comments must also be sent to county planning commission (or county board of commissioners if no county planning commission).

Submission of Comments

B. Legislative Overview

- For township, village, and city plans: Between 75 -95 days from receipt, county planning commission (or county board, if no county planning commission) shall submit comments, including statement as to whether it considers plan Consistent or inconsistent with county and other plans.
- County's comments are advisory only

Public Hearing

B. Legislative Overview

- Shall hold public hearing on the proposed plan after expiration of county comment period (Same public hearing that has always been required. Notice provisions have changed slightly.)

Submission to Legislative Body

B. Legislative Overview

- Planning commission may approve plan at or after hearing.
- Approval by planning commission is final unless legislative body adopted resolution asserting right to give final approval.
 - Approved plan shall be submitted to legislative body
 - If rejected, legislative body must submit statement listing objectives to plan.
 - Planning commission revised, and repeats hearing process until legislative body approves.

Approved Plans

B. Legislative Overview

- Approved plans must be mailed to all those to whom notice and requests for comments sent previously.

Application

B. Legislative Overview

- May operate under old statutory process until January 9, 2003.
 - If plans have been started, may operate under old definitions and procedure up to January 9 2003.
- Plan *amendment* timelines differ:
 - Municipalities have 40 days to comment
 - County has 55-75 days to comment
- Plans shall be reviewed every 5 years to determine need for revision.

Miscellaneous

B. Legislative Overview

- Description of plan contents in Municipal Planning Act is more consistent with Township and County Planing Acts.
- A plan is directly tied to the "plan" referred to in the respective zoning enabling act. Zoning must be based on a plan adopted under the planning enabling acts.

Miscellaneous

B. Legislative Overview

- Specifically allows townships to adopt Capital Improvement Plans.
- Does not alter relationship between planning department & planning commission in charter communities.
- Specific authority for planning commissions from multiple jurisdictions to meet to deliberate.

Open Space Zoning

Amendments

B. Legislative Overview

- PA 177 – Township Zoning Act [handout D]
 - PA 178 – County Zoning Act [E]
 - PA 179 – City/Village Zoning Act [F]
- Effective Date: December 15, 2001

Open Space Zoning

B. Legislative Overview

- Groups dwellings on smaller lots on a smaller portion of an undeveloped tract of land in order to preserve the remainder of the tract as "open space."
 - Conventional zoning: 10 acres on 2 dwellings per acre = 20 units on ½ acre lots.
 - Open space zoning: 20 units on ¼ acre lots, leaving 5 acres (50%) undeveloped.

Open Space Zoning

B. Legislative Overview

- "Qualified" communities:
 - cities, townships, villages, counties with a population of 1,800 or more...
 - that have an adopted zoning ordinance, and...
 - have undeveloped land that is zoned for residential development at 2 dwelling units per acre or less OR, if served by public sewer, 3 dwelling units per acre or less.

Open Space Zoning

B. Legislative Overview

- By December 16, 2002 qualified communities **must amend zoning ordinances** to provide landowners the option of utilizing cluster development in some residentially zoned areas.

Open Space Zoning

B. Legislative Overview

- Ordinance must allow same number of dwellings as allowable under conventional zoning to be built on no more than 50% (townships, counties) or 80% (cities, villages) of the land "that could otherwise be developed... under existing ordinances...."

Open Space Zoning

B. Legislative Overview

- The open space part of the zoning ordinance is still subject to "other applicable laws," including suitability for on-site water and septic.

Open Space Zoning

B. Legislative Overview

- Landowner can invoke ordinance if...
 - Land is zoned for residential development at 2 dwelling units per acre or less OR, if served by public sewer, 3 dwelling units per acre or less;
 - Development does not depend on the extension of sewer or water unless sewer or water would be necessary to serve the development under conventional zoning.

Open Space Zoning

B. Legislative Overview

- Landowner can invoke ordinance if...
 - Percentage of land specified in the zoning ordinance will permanently remain in "undeveloped state" via conservation easement, restrictive covenant, etc.
 - Option has not previously been exercised with respect to that land.

Open Space Zoning

B. Legislative Overview

- Exception:
 - If qualified community has had open space zoning provisions in ordinance since on or before October 1, 2001 which:
 - Permitted clustered development and
 - Permanently preserves land in "undeveloped state" via conservation easement, restrictive covenant.
 - And a landowner had, in fact, utilized the open space zoning provision prior to December 15, 2001.
 - Preserved 50% in county/township (20% city/village) of land area.

Open Space Zoning

B. Legislative Overview

- Ordinance may permit greater percentage of protected land, but still cannot require decrease in density.
- Unbuildable land, as defined by ordinance, not included in calculations.
- "After a landowner exercises the option provided..., the land may be rezoned accordingly."

Open Space Zoning

B. Legislative Overview

- "Undeveloped state" = natural state preserving natural resources, natural features or scenic or wooded conditions; agricultural use; open space; or a similar use or condition.
 - Does not include golf course.
 - May be trails, play areas, linear parks.
 - May be dedicated to public use.

C. Referendum Amendments

Voter Referendum Petitions

C. Referendum Amendments

- For Townships only:
 - Township and County zoning/zoning amendments can be brought to a vote.
 - Amendment changes number of signatures required on petition to bring township zoning to a vote.
 - Now need 15% of votes cast in the townships for governor in the last gubernatorial election. (Was 10%) (No change for county, it was already 15%.)

D. Coordinated Planning

- Lack of Coordination “What was”
- Now closer to Coordinated Planning
- Why Coordinated Planning
- Steps to do a plan

What Was

D. Coordinated Planning

- Debate if a township needed favorable county review of a township plan before township planning commission could adopt it.
- Was no formal mechanism for county review of village or city plans.
- The 2001 coordinated planning amendments to Michigan’s planning enabling statutes put an end to that debate and added county review of village and city plans. [handout G]
- And did a lot more.

Closer to Coordinated Planning

D. Coordinated Planning

- Amendments did seven things for coordinated planning:
 - County planning plays an important role in fostering coordination and cooperation in planning.
 - County review of city, village, and township plans is built into the planning process.
 - Clarifies county planning review is advisory.
 - Strengthened connection between plans and what zoning should be based on.

Closer to Coordinated Planning

D. Coordinated Planning

- Amendments did seven things, continued
 - Initial review and possibly final adoption of a plan can be by legislative body.
 - Planning commissions' duty: Pro-active to foster coordination and cooperation
 - Neighboring jurisdiction given a mechanism for providing input on plans.
 - Requires a plan be reviewed at least every five years to decide to amend, rewrite, or do nothing.

Closer to Coordinated Planning

D. Coordinated Planning

- Coordination is an attitude thing.
 - If people want to make it happen, it will work.
 - The issue now is for this to become the new practice in Michigan.

Why Coordinated Planning

D. Coordinated Planning

- The *Relative Risk Analysis Project (1992)* concluded "lack of integrated and coordinated land use planning" was one of the top environmental problems.
 - There are many issues and topics which can not be dealt with in a small area, such as village, city, or township.
 - To be effective in planning for many issues, it must be done at a larger geographic scale.

Why Coordinated Planning

D. Coordinated Planning

- Economic Development Example:
 - Economic development involves larger area than village, township, and most cities.
 - Jobs, and location of employed people is a labor market area; often an entire county or multiple counties.
 - Coordinated planning is needed to be as effective as possible for economic development: worker training, housing, new industrial sites.

Why Coordinated Planning

D. Coordinated Planning

- Ground/Surface water example:
 - One community can have a good system to protect river, lake, or groundwater.
 - Water does not stop at a political boundary.
 - Coordinated planning at a watershed (or ground-watershed) level is critical for long term success.

Why Coordinated Planning

D. Coordinated Planning

- Other topics that demand a multi-government cooperative planning approach include:
 - Natural features (lakes, rivers).
 - Technology for farming, mining, pipelines, radio transmissions.
 - Transportation networks (billboards, parking, scenic vistas).
 - Major developments. (Have impacts on more than just one municipality (traffic, lights, etc.) reference, relevant portions of other plans adopted by other agencies and governments)
 - Can you think of others? _____

Why Coordinated Planning

D. Coordinated Planning

- Every local government in Michigan should identify those “bigger than just local concern” issues.
 - Put that list on the table for coordinated planning discussion.
 - County planning commission has an opportunity to be the leader in this effort.

Why Coordinated Planning

D. Coordinated Planning

- Those issues identified for entire county and:
 - Made a part of the discussion and policies of a county plan.
 - Prioritized for pro-active effort to foster coordination between governments. (For example: County planning commission initiating meetings and discussions between groups.)
 - Facilitate cooperation between local governments.
 - Use the new planning and process of coordination to the entire area’s benefit.

BREAK

For 10 minutes

Steps to do a Plan

D. Coordinated Planning

- The process of planning coordination is now a part of the township, village and city, and county planning enabling acts.
- So the process is in place. In brief, the steps to adopt a plan --coordinated style-- are ...

Steps to do a Plan

D. Coordinated Planning

- Steps to plan (new steps in red):
 - 1. "I'm starting to plan" notice to all governments within/contiguous to the planning area.
 - 2. Conduct background studies, research.
 - 3. Prepare draft plan.
 - 4. Approve draft plan (Planning Commission & Legislative Body).
 - 5. Draft plan sent to all governments within/contiguous to the planning area.
 - 6-7. Draft plan and region/municipality's comments on draft plan sent to county planning.
 - 8. Planning Commission holds public hearing on revised plan.
 - 9. Adopt final plan (Planning Commission & maybe Legislative Body).
 - 10. Copies of plan sent to all governments within/contiguous to the planning area.

Steps to do a Plan

D. Coordinated Planning

- Handouts:
 - Checklist #C1: For county plans [H]
 - Checklist #T1: For township plans [I]
 - Checklist #M1: For city and village plans [J]

Steps to do a Plan
D. Coordinated Planning

- Step-by-Step Plan Adoption Process
 - 1. (NEW) Planning commission must first send out an "I am starting to plan" notice.
 - This is the "coordinated planning notification list":
 - For municipalities: Each city, village, or township that is contiguous.
 - For counties: Each city, village, or township located within or contiguous.
 - For municipalities and counties: Regional planning commission for the region in which the municipal government is located if there is no county planning commission. If there is a county planning commission, submission by a municipality to the regional planning agency is optional.

Steps to do a Plan
D. Coordinated Planning

- Step 1. (NEW) Continued
 - Coordinated Planning mailing list, continued:
 - For municipalities: County planning commission for the county.
 - For municipalities and counties: Each public utility, railroad company, and any government entity that registers for this purpose
 - For counties: Regional planning commission, if any, for the region in which the county government is located
 - For counties: Contiguous county planning commission

Steps to do a Plan
D. Coordinated Planning

- Step 1. (NEW) Continued
 - The legislature's list might not include everyone. Coordination should possibly include more organizations, such as:
 - For municipalities: Contiguous county planning commission, governments within the municipality.
 - For municipalities and counties: Each state, federal, Native American tribe government, government agencies with 10+ acres, school districts, DDA, TIFA, historic district commission, parks commission.
 - For municipalities and counties: Other special interest groups (chamber, farm bureau, property owner association, lake association, youth group, conservation district, environmental organization, etc.).
 - Can you think of others

Steps to do a Plan

D. Coordinated Planning

- Step 1. (NEW) Continued
 - The planning acts require sending out the notice.
 - Use this to establish a system of communication that leads to coordination with other governments (can use electronics (email) for communication if the receiver agrees: notice, comments, the plan (a two-way street).
 - The notice can include events such as:
 - Joint meetings.
 - Study committees.
 - (For a county) Formation of a committee to prepare the plan whose membership includes representatives of all those receiving the notice.
 - Can you think of others _____.

Steps to do a Plan

D. Coordinated Planning

- 2. The municipality or county commission studies and assembles background material to prepare a draft plan.
 - A planning commission and county planning commission can be pro-active in identifying topics for coordination.
 - (The county planning commission has gotten the notice from Step #1 (new).)

Steps to do a Plan

D. Coordinated Planning

- 3. The planning commission prepares a draft plan.
- 4. The planning commission approves the draft plan and (NEW) the legislative body receives the plan to approve it before the process goes any further. (Language in the Township Planning Act is different, but has the same effect.)

Steps to do a Plan

D. Coordinated Planning

- 5. (NEW) A draft plan sent to "coordinated planning notification list."
 - Everyone on the list should review the draft plan:
 - The review based on their own plans. (If no plan, comments should be brief or not made at all).
 - Each comment includes a list of facts and reasons behind the comment:
 - » Not enough to just make the comment.
 - » What carries the weight are the facts and reasons.
 - Within 65 days (40 days) if a plan amendment.

Steps to do a Plan

D. Coordinated Planning

- Step 5 (NEW), continued.
 - (1) For reviewing municipality plans:
 - Each comment sent to **both** the municipality submitting the plan **and** the county planning commission.
 - (2) For reviewing county plans:
 - Each comment sent to county planning commission.

Steps to do a Plan

D. Coordinated Planning

- 6. (NEW) At the same time plan is sent out:
 - Copy also sent to the county planning commission along with a list of who received a copy of the draft plan (in number 5, above).
 - The county planning commission receives copy of township, village, city and region's comments.
 - The county planning commission reviews **both** the draft plan **and** all the comments from townships, villages, cities, and region.

Steps to do a Plan

D. Coordinated Planning

- Step 6 (NEW) Continued.
 - The county planning commission's comments are based on:
 - Its own review for inconsistency with adopted county plans, and
 - Its review of the received comments, and
 - Its own review for consistency with adopted municipality and regional plans.

Steps to do a Plan

D. Coordinated Planning

- Step 6 (NEW) Continued.
 - Each county comment includes a list of facts and reasons behind the comment:
 - It is not enough to just make a comment.
 - What carries the weight are the facts and reasons.
 - Make comment within 75 and 95 days (55 and 75 days if a plan amendment).

Steps to do a Plan

D. Coordinated Planning

- 7. (NEW) (Optional) The municipal planning commission receives the county's comments and everyone else's comments (The county planning commission receives everyone else's comments)
 - Review comments with great care.

Steps to do a Plan

D. Coordinated Planning

- Optional Step 7 (NEW) continued.
 - For each comment:
 - Respond by changing the draft plan to address the concern.
 - Respond by listing your planning commissions facts and reasons why the concern raised is not valid. Have a preponderance of facts and reasons to support the position. If that is not the case, reconsider changing the draft plan.
 - Remember the comments raised are advisory only -- but do not dismiss them lightly. Coordination and cooperation is still the goal.

Steps to do a Plan

D. Coordinated Planning

- 8. The municipal or county planning commission holds at least one hearing on the revised draft plan.
 - Townships: Must publish two notices of hearing.
 - 20-30 days prior.
 - No more than 8 days prior.
 - Cities and Villages: One notice of hearing no less than 15 days prior (and in an official gazette, if any).
 - Must also mail notice to those entities originally notified.
 - County: Notice requirement not stated.

Steps to do a Plan

D. Coordinated Planning

- 9. After the hearing and any further modifications to the revised draft plan, the municipal or county planning commission adopts the plan. (The municipal or county legislative body also adopts the plan if they assert the right to do so (NEW))
- 10. (NEW) A copy of the adopted plan is sent to the "coordinated planning notification list."

Coordinated Planning

D. Coordinated Planning

- Intent is a system for coordination:
 - Every government has the responsibility.
 - The county planning commission has a new and big role to make coordinated planning happen.
 - The county is positioned to see the big picture.
 - County planning is at the center.
 - Receiving township, village, city region's comments.
 - Is able to make plans for larger geographic area.
 - County planning commission's coordination role includes:
 - Responsibility to initiate coordination opportunities,
 - Be pro-active, and
 - Provide detailed substantiated comments with facts and reasons.

E. Open Space/Cluster Zoning

Open Space Zoning

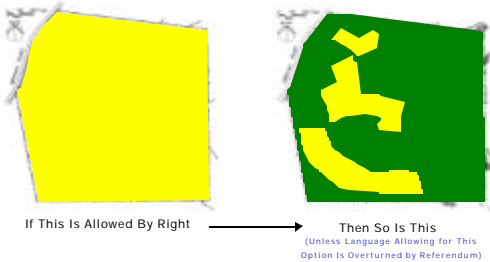
E. Open Space/Cluster Zoning

- Key phrase in the new legislation:
 - "Same number of dwelling units . . . that . . . could otherwise be developed under existing ordinances, laws and rules on the entire land area . . ."

Open Space Zoning
E. Open Space/Cluster Zoning

- Key considerations for an open space provision of zoning.
 - Fifty percent of what?
 - What is "buildable?"
 - What is "unbuildable?"
 - What is the "entire land area?"

Open Space Zoning
E. Open Space/Cluster Zoning



Consideration When Adopting
Open Space Provisions
E. Open Space/Cluster Zoning

- Determining Allowable Density
- Maximum Developed Land Area
- Quantity and Quality of Open Space
- Strategies To Encourage Use of Open Space Provisions
- Siting New Development

Determining Allowable Density

E. Open Space/Cluster Zoning

- Will Density Be Based on a Parcels Gross Acreage;
- or Are Common Sense Adjustments Made In Density to Allow for Land Constraints.

Determining Allowable Density

E. Open Space/Cluster Zoning

- Density Based on Parcels Gross Acreage
(Gross Acreage / Minimum Size Requirement = Density)
- Easy to Calculate
- Tends to Increases Density Compared to "Conventional" Layouts *(From 10 to 40% > depending on land constraints and minimum lot size)*

Determining Allowable Density

E. Open Space/Cluster Zoning

(Gross Acreage / Minimum Size Requirement = Density)



50 Acre Parcel
50 Acre Parcel/2Acre Minimum
Lot Size = 25 Splits



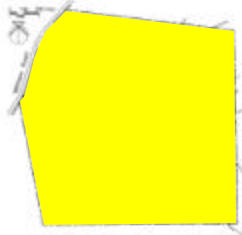
18 Splits Realized



Determining Allowable Density

E. Open Space/Cluster Zoning

- Yield Plan Approach
- Density equivalent to that which could be realized with a "conventional" layout taking into account natural constraints (wetlands, steep slopes, floodplains)
- More Difficult to Calculate (requires submission of "Yield Plan")



Yield Plan

Maximum Developed Land Area

E. Open Space/Cluster Zoning

- Shall the Amount of Developed Land Area Be Based on a Parcel's Gross Acreage.
"developed lands shall occupy not more than 50% of the parent parcel's acreage"
- Or Shall it be Based on a Parcel's "Buildable Acreage"
"developed lands shall occupy an area no greater than 50% of the parent parcel's buildable acreage" (areas of wetlands, floodplains and steep slopes located on the parent parcel shall not be included in the buildable acreage calculation.)

Quantity & Quality of Open Space

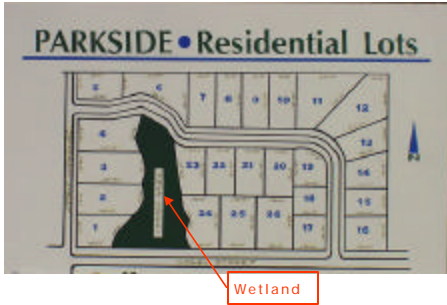
E. Open Space/Cluster Zoning

- Will The Open Space Requirement Be Met With a Simple Percentage of the Parent Parcel's Gross Area;
"a minimum of 50% of the parent parcel's acreage shall be set aside as permanently protected open space"

This approach usually results in a majority (and in some cases all) of the open space requirement being made up of the most unusable and undesirable lands

Quantity & Quality of Open Space

E. Open Space/Cluster Zoning



Quantity & Quality of Open Space

E. Open Space/Cluster Zoning

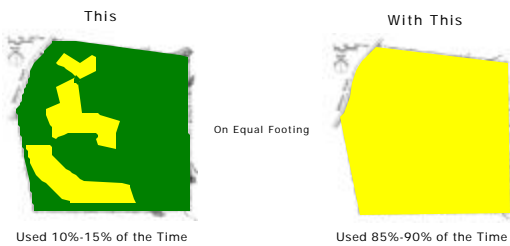
- or Shall the Required Open Space Include a Significant Portion of the More Desirable (Useable) Lands.

"a minimum of ___% of the parent parcels gross acreage shall be set aside as permanently protected open space. This area shall include at least half of the parcels buildable acre"

Encouraging The Use of Open Space Provisions

E. Open Space/Cluster Zoning

When Ordinance Language Allows:



Encouraging Use of Open Space
Provisions

E. Open Space/Cluster Zoning

Multiple Option Approach

Rewrite Ordinance Language

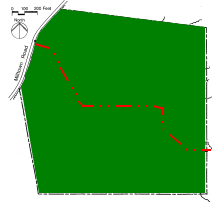
- Allow for a Series of Development Options
- Allow Developer To Chose the Option Which Best Serves His/Her Purposes
- Developer Gets Full Density (**as allowed for under previous ordinance language**) Only With Open Space Options
- All Development Options Result In Significant Land Conservation

Encouraging Use of Open Space
Provisions

E. Open Space/Cluster Zoning

Development Options
(Low Density)

The existing Parent Parcel may be divided into a series of parcels a minimum of 40 acres in area. (25 acres if the depth to width ratio of the parcels created is 2.5:1 or less.)



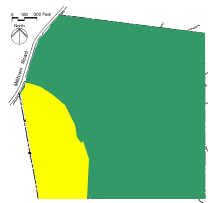
Country Estate Option

Encouraging Use of Open Space
Provisions

E. Open Space/Cluster Zoning

Development Options
(Low Density)

A small number of lots a maximum of 3 acres in area each may be split from the Parent Parcel. One lot would be allowed on Parent Parcel 10 to 20 acres in area. Two lots on Parcels 20 to 40 acres in area, three lots on Parcels 40 to 80 acres in area and four lots on Parent Parcel greater than 80 acres in area.



Sliding Scale Option

Encouraging Use of Open Space

Provisions

E. Open Space/Cluster Zoning

Development Options
(Neutral Density)

The Parent Parcel can be developed up to the maximum density allowed under previous zoning. The Minimum Open Space requirement is 50% of the Parent Parcels gross area. A minimum of half of the parcels buildable lands are located in the Open Space area. The parcel is developed according to the Four Step process described in the next section.



Open Space Option

Encouraging Use of Open Space

Provisions

E. Open Space/Cluster Zoning

Development Options
(Enhanced Density)

The Parent Parcel may be developed at densities up to 100% greater than that allowed under previous zoning. As a tradeoff for this level of density, a minimum of 70% of the Parent Parcels gross area including at least half buildable lands must be set aside as Open Space. The development is laid out in a hamlet or village configuration. This option may be limited to certain areas.



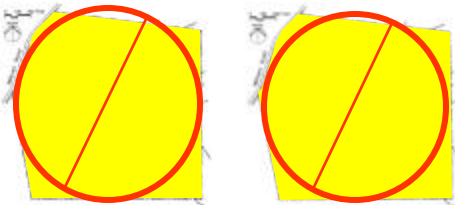
High Density Open Space

Encouraging Use of Open Space

Provisions

E. Open Space/Cluster Zoning

Development Options



Siting New Development

E. Open Space/Cluster Zoning

Step One - Identify Areas for Development & Conservation

Four Step Process

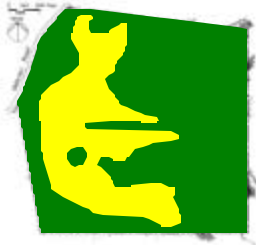
- Wetlands
- Floodplains
- Steep Slopes
- Prime and Unique Farmlands
- Prime Timberland Areas
- Groundwater Recharge Areas
- River and Stream Corridors
- Wildlife Habitat
- Historic Sites
- Greenways
- Trails
- Scenic Viewsheds



Siting New Development

E. Open Space/Cluster Zoning

Four Step Process



Siting New Development

E. Open Space/Cluster Zoning

Four Step Process

Step Two - Locate Potential Building Sites

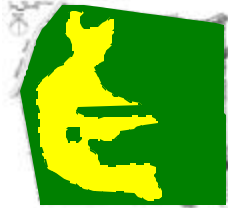


Siting New Development

E. Open Space/Cluster Zoning

Four Step Process

Step Three – Align Streets and Trails

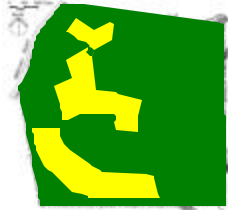


Siting New Development

E. Open Space/Cluster Zoning

Four Step Process

Step Four – Draw in Lot Lines



Handouts

- A. Township Planning Act.
- B. Municipal Planning Act.
- C. County Planning Act.
- D. Township Zoning Act.
- E. County Zoning Act.
- F. City and Village Zoning Act.
- G. *Check List #T1 For Adoption of a Township Plan.*
- H. *Check List #M1 For Adoption of a City & Village Plan.*
- I. *Check List #C1 For Adoption of a County Plan.*
- J. *County Planning; Its Legal Authority, and Coordinated Planning.*
- K. *Better Designs for Development in Michigan; Putting Conservation into Local Land Use Regulations.*
- L. Sample Open Space Preservation zoning.

T h a n k Y o u

Bringing Knowledge to Life

- Legislative Overview: Gary G. Taylor, State & Local Government Extension Specialist
 - taylorg@msue.msu.edu (517) 353-9460
- Coordinated Planning: Kurt H. Schindler, County Extension Director, Wexford and Land Use Area of Expertise
 - schindk@msue.msu.edu (231) 779-9480
- Open Space/Cluster Zoning: Rod Cortright, County Extension Director, Charlevoix and Land Use Area of Expertise
 - cortrigh@msue.msu.edu (231) 582-6232

Michigan State University Extension programs and materials are available to all without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital status, or family status.

MSU is an Affirmative-Action/Equal Opportunity Institution.
