

**BIRCH RUN TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

September 23, 2002

7:00 p.m.

BOARD MEMBERS PRESENT:

Al Hunter
Jaime Trevino
Jim Totten
Jeff Putnam
Bob Scharrer
Wyn Wilson

Recorded by Lori Brady, CER-6925
Bay Area Reporting, Inc.
4855 State Street, 6-A
Saginaw, Michigan 48603
(989) 791-4441

CALL TO ORDER by CHAIRMAN AL HUNTER

ROLL CALL by JAIME TREVINO - quorum present

August 5, 2002 minutes read by CHAIRMAN HUNTER

ERROR NOTED by Jeff Totten that in the August 5, 2002 minutes an error was made on the top of Page 2; the motion was made by Totten and supported by Scharrer, not Wilson.

MOTION TO APPROVE AUGUST 5, 2002 MINUTES MADE BY WILSON;

SUPPORTED BY PUTNAM

ROLL CALL VOTE; 6-0

MINUTES APPROVED

PUBLIC HEARING OPENED FOR COMMENT by Chairman Hunter

PUBLIC COMMENT:

Comments by the following individuals:

BYRON VOORHEIS III; ED MAGNUS; DOUG PIGGOTT; SCOTT RAUSCH; DON PRINGLE; MIKE HALEY; EARL SCHLAGEL; ATTORNEY ROBERT HURAND; R.B. STEIN; DIANE POPE.

Concerns about trailer park; map discrepancies; water shortages if trailer park should go in; property tax concerns for mobile home park residents;

WYN WILSON responds to various public comments re: future land use map and mobile home park issues.

PUBLIC COMMENT:

Comments continue by the following individuals: WAYNE LEASEE; DIANE POPE; ED MAGNUS; DEBBIE TREVINO.

Questions re: utilities available; future litigation possibilities; trailer park tax distribution.

DOUG PIGGOTT addresses various zoning and land use

classification concerns displayed by audience.

CHAIRMAN HUNTER asks for comment from Jim Totten, Vice Chair.

JIM TOTTON comments and reservations about high density use at south end of the village.

CHAIRMAN HUNTER asks for further comments by Board members; no one wished to comment. Doug Piggott asked to discuss proposed amendments to Master Plan.

DOUG PIGGOTT discusses Master Plan proposed amendments in length.

CHAIRMAN HUNTER deems it appropriate to take each of the proposed amendments individually.

WYN WILSON reads proposed change as follows:

"Amend the industrial land use classification's description to read: "The purpose of the industrial classification is to provide locations for wholesale activities, warehouses, and light industrial opportunities which have limited associated external effects, such as assembly and fabrication activities. The classification also permits commercial establishments including uses (adding) permitted in the community commercial and high service classifications with adequate utilities (end addition). It is the intend that these uses will expand

the economic base of the Birch Run area and the employment opportunities available to Birch Run Township residents. They will not have adverse effects on surrounding uses or detract from the township's rural character."

DISCUSSION RE: PROPOSED CHANGE

MOTION BY WILSON to make proposed change to Master Plan in accordance with the amendment as read above.

SUPPORT BY SCHARRER.

ROLL CALL VOTE Vote; 6-0

AMENDMENT ADOPTED

CHAIRMAN HUNTER read proposed change regarding Birch Run Road:

The area along Birch Run Road from the current DDA boundaries to M-83 would be suitable for rezoning for commercial development when adequate utilities can be provided to the area.

DISCUSSION RE: PROPOSED CHANGE

MOTION BY TOTTEN to make proposed change to Master Plan adding wording to Page 3, Paragraph 2 as in paragraph read above;

SUPPORT BY PUTNAM

ROLL CALL VOTE; 6-0

AMENDMENT ADOPTED

CHAIRMAN HUNTER read proposed change regarding Open

Space/Agricultural and Dispersed Residential to include the addition of a statement which emphasizes that it is

not the intention of the District to discourage any special use permit, businesses or anything else. Reads as follows: *Existing commercial uses approved through special use permits issued by the township are recognized, and it is not the intention of this district to encourage their elimination.*

DISCUSSION RE: PROPOSED CHANGE

MOTION BY PUTNAM to add the language to Open Space/Agricultural (reads additional sentence above); and also to the Dispersed Residential, as well.

SUPPORT BY WILSON

ROLL CALL VOTE; 6-0

AMENDMENT ADOPTED

CHAIRMAN HUNTER reads proposed change in Medium and High

Density Development South of the Village of Birch Run to include a sentence: *"Separating mobile home parks into their own classification and designating --* asks Doug Piggott to discuss this in further detail.

DOUG PIGGOTT explains in detail regarding proposed change in text.

CHAIRMAN HUNTER explains that this may take further time and should possibly be deferred to next meeting. Discussion regarding adopting plan in part; adopting amendments and changes to Master Plan at a later date.

DOUG PIGGOTT explains should adoption process for even just the changes go beyond January 9th of 2003 then at that point any changes or amendments that are made or any additions will have to follow the new Review and Approval Process.

CHAIRMAN HUNTER asks for discussion among Board members re:

Adoption of Master Plan in part or would another special meeting at a later date be better.

CHAIRMAN HUNTER asks for motion to not adopt Master Plan this date. Requests Doug Piggott to construct new proposed language and get it out fairly quickly for reconsideration at a special meeting with a date to be announced in perhaps late October.

DISCUSSION AMONG BOARD MEMBERS RE: PROPOSED CHANGES

MOTION BY WILSON to postpone adoption of Master Plan to future meeting to be determined.

SECOND BY PUTNAM

NO DISCUSSION

ROLL CALL VOTE; 6-0

MOTION CARRIED

CHAIRMAN HUNTER closes discussion regarding Master Plan.

SHORT RECESS HELD

PUTNAM reports regarding Zoning Ordinance changes. Four

recommended changes to Birch Run Township Zoning Ordinance. First one was amendment regarding minor water bodies; second was temporary permit for occupation of a

mobile home by aged relative; third was a new section regarding the keeping of large animals; and the fourth was Planning Commission minutes.

One and two were passed as written; minor change regarding number three; change was five acres down to three acres.

ZONING BOARD OF APPEALS REPRESENTATIVE - not present

PUBLIC HEARING REGARDING TEMPORARY PERMIT REQUEST #2002-04

Merrick family requesting temporary permit for aged relative to live on property in mobile home.

Diagram provided displaying proposed plan for mobile home.

PUBLIC COMMENT: No public comments or disputes regarding proposed mobile home.

CHAIRMAN HUNTER asks for motion which says in essence, it is okay to advise the Township Clerk to issue temporary permit.

MOTION BY PUTNAM to provide Clerk advice and consent to approve the request for temporary housing permit #2002-04.

SECOND BY TOTTEN/TREVINO

NO DISCUSSION

ROLL CALL VOTE; 6-0

MOTION CARRIED

CHAIRMAN HUNTER closes Public Hearing regarding #2002-04 and returning to regular meeting.

CHAIRMAN HUNTER proposed amendment to Planning Commission By-Laws for consideration of Board; adding under

SECTION 3: Duties of the Planning Commission

Subparagraph I. REVIEW MASTER PLAN ANNUALLY.

MOTION BY WILSON to add Item "I" to review maser plan annually
to by-laws of the Planning Commission Section 3 Duties.

SECOND BY PUTNAM

NO DISCUSSION

ROLL CALL VOTE; 6-0

ADDITION APPROVED

DISCUSSION REGARDING SPEEDWAY CONCERNS; questions regarding
court order; pond permit; request for special use permit
rather than legal non-conforming use; site plan provided
showing expansion of track.

PUBLIC COMMENT:

SCOTT RAUSCH thanks Planning Commission for time and
effort involved in preparing Master Plan.

Mr. Rausch indicates that a lot of emphasis was put on the
mobile home park. He wanted to make sure that the public
knows, Mr. Magnus has voiced his opposition, that no
developer came to the Board, and he wanted it on the
record, for an application or a suggestion to zone it that
way, but as a real estate developer and a substantial tax
payer in the community that you've chosen probably the
most logical place, more so than the Dixie Highway because
it's landlocked with a railroad track on one end; it's
buffered by a Village piece of property which cannot be

developed on another end; and on the other side is an existing mobile home park. Not to mention the fact that the property is almost a quarter mile off of the road.

Mr. Rausch went on to say Mr. Piggott presented to the Board comments on industrial/commercial; zoning on Birch Run Road; and this property discussed regarding mobile home. Those were based on what he said from discussions at the last meeting. Mr. Rausch commented that Mr. Piggott presented this very well. Mr. Rausch went on to note that there was no discussion whatsoever on that property that seemed to be a highlight which he came so well prepared and presented to the Board with language on the mobile home park. The only thing that was brought up that last meeting which I attended was the fact that a question came is should there be more medium density zoning. However, he came prepared with that, but none of those issues were brought up. Mr. Rausch wanted it on the record that he didn't know who contacted him, but it certainly did not come from the public meeting.

DEBBIE TREVINO recalled Jeff Putnam saying for the record that he was against any expansion of mobile home parks.

Debbie went on to say that it was noted in the notes.

ED MAGNUS comments regarding comments by Mr. Rausch regarding knowledge of trailer park.

FURTHER PUBLIC COMMENTS: R.B. STEIN; ED MAGNUS; SCOTT RAUSCH; EARL SCHLEGEL regarding Master Plan/Mobile Home

Park.

MOTION BY TOTTEN to adjourn.

SUPPORT BY PUTNAM

DISCUSSION RE: Setting new date. Decided not to set at this
time.

ADJOURNED AT 9:26 p.m.

-o0o-

Respectfully submitted:

Alan J. Hunter, Chairman

Approved:

10-28-02

Motion: PUTNAM
Support: SCHARRER

Motion Passed 4-0.

Birch Run Township
Planning Commission
Sep 23, 2002 Regular Meeting

Nephe Trempa

~~David~~ Rawer

Byron W. Voorhis III

Robert M. Hansen

Eega Ostundge

Dianne Tope

Bill Parker Parker

Jerry Crispell

Edward Magnus Magnus

Don Pringle

Mary Pringle

Dita Mark Marek

~~David~~ David

Earl Paquette

Don Worden

Wayne Loebe ~~Leese~~ Leese

Deborah Franklin

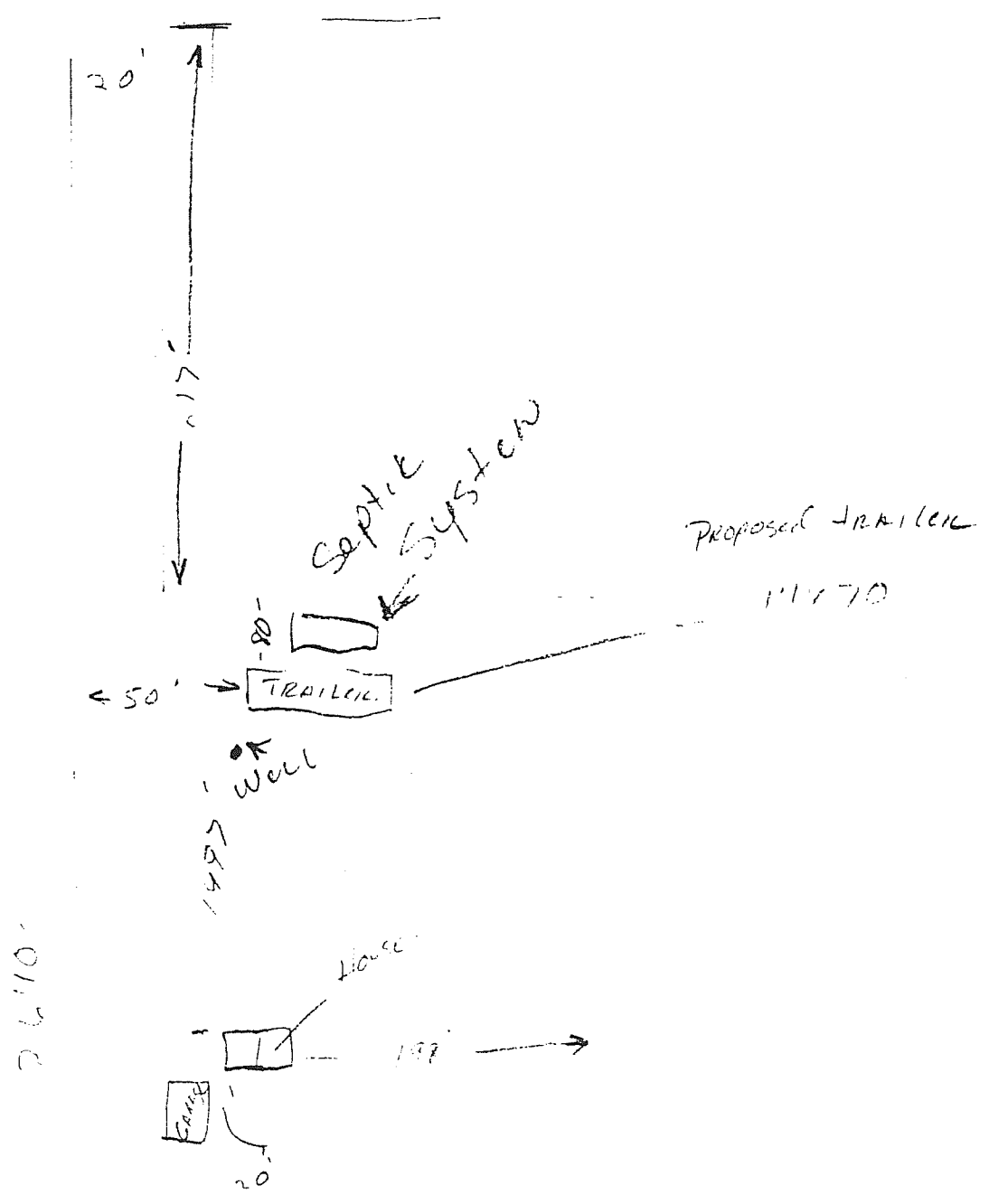
Gerald Sunblum

R.B. Stein Stein

Nan Halcy

Mike Halcy

Long Warden



26'10"

220'

Birch Run Township Planning Commission Bylaws

SECTION 3: Duties of the Planning Commission

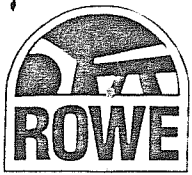
The planning commission shall perform the following duties:

- A.** Take such action on petitions, staff proposals and township board requests for amendments to the zoning ordinance as required.
- B.** Take such action on petitions, staff proposals and township board requests for amendments to the master land use plan as required.
- C.** Prepare an annual report to the township board.
- D.** Take such actions as are required by the Township Zoning Act, Public Act 184 of 1943, as amended.
- E.** Review subdivision and condominium proposals and recommend appropriate actions to the township board.
- F.** Prepare special studies and plans, as deemed necessary by the planning commission or township board and for which appropriations of funds have been approved by the township board.
- G.** Attend training sessions, conferences or meetings as needed to properly fulfill the duties of planning commissioner and for which appropriations of funds have been approved by the township board.
- H.** Perform other duties and responsibilities, or respond to requests, made by township boards or commissions.

9-23-02 add: **I. Review Master Plan annually.**

SECTION 4: Duties of the Zoning Administrator

- A.** The planning commission shall be assisted by the zoning administrator in performing the planning commission's duties, as noted in Section 3.
- B.** The zoning administrator shall be responsible for the professional and administrative work in coordinating the functions of the planning commission.
- C.** The zoning administrator shall:
 - 1. Supervise and review the work of the township staff.
 - 2. Accept applications for matters to be reviewed by the planning commission and ensure that such applications are complete.
 - 3. Forward application materials to the planning commission at least one week prior to the meeting at which the matters will be considered.
 - 4. Inform the planning commission of administrative and enforcement actions taken on behalf of the township related to the zoning or other appropriate ordinance.
- D.** The planning commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer or other person or agency.



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MEMO

TO: Birch Run Township Planning Commission

FROM: Doug Piggott AICP, PCP

DATE: August 28, 2002

SUBJECT: Revision to Public Hearing draft, Master Plan

At the Planning Commission's Public Hearing on August 5, 2002, several issues were raised concerning the current master plan draft. The intent of this memo is to review alternative approaches to address these concerns.

THE NEED FOR FLEXIBILITY IN USING THE CURRENT INDUSTRIAL LAND ALONG DIXIE HIGHWAY FOR INDUSTRIAL OR COMMERCIAL USES

On the Future Land Use Map, the land between I-75 and Dixie Highway north of Birch Run Road is designated as "industrial," which correlates with the M-1 zoning district. Property owners in the area are concerned that this designation would prevent future rezoning for commercial use that may desire the visibility off I-75. These residents requested some flexibility in the designation. In considering this concern, the Planning Commission must consider the intent of the industrial classification. Some communities wish to exclude nonindustrial use from their industrial areas, saving those sites most suitable for industrial uses. The draft plan's objectives for industrial development follow.

1. Encourage high density development of one or two industrial parks and target this area as the primary focus for new and expanding job development.
2. Identify and reserve land for future industrial growth in planned business park settings with access to major roads and appropriate buffering from residential uses.
3. Ensure development occurs so undue environmental harm does not result.

Do these objectives require the reserving of industrial areas only for industrial uses, or does it allow for some flexibility between uses? If it allows for flexibility, how should that be reflected in the plan? One or more of the following alternatives could be incorporated into the plan.

1. Incorporate language from the draft implementation section attached under *"Using the Land Use Plan for Zoning Review"* that explains the way the goals, objectives and land use classifications are used with the map to determine a request compliance with the plan.
2. Amend the industrial land use classification's description to read: "The purpose of the industrial classification is to provide locations for wholesale activities, warehouses and light industrial opportunities which have limited associated external effects, such as assembly and fabrication activities. The classification also permits commercial establishments including uses **permitted in the community commercial and highway service classifications with adequate utilities.** ~~not engaged in retail sales, and service establishments which generally do not require customer visitation at the place of business.~~ It is the intent that these uses will expand the economic base of the Birch Run area and the employment opportunities available to Birch Run Township residents. They will not have adverse effects on surrounding uses or detract from the township's rural character."
3. Amend the Future Land Use Map and the Land Use Classification text to describe the area as the industrial/commercial classification.

COMMERCIAL DEVELOPMENT BETWEEN THE DDA AND M-83

The current Future Land Use Plan shows a gap in the commercial district between the DDA and the commercial area around M-83 and Birch Run Road. Several residents requested that the area all along Birch Run Road to M-83 be designated Community Commercial.

This area is not currently served by sewer. The plan states that the criterion for Community Commercial includes water and sewer. The implication is that when utilities are extended down Birch Run Road the area would then be suitable for commercial development. If the Planning

Commission designates this without placing any stipulations on provision of utilities to the area, the plan will open that area up to future spot rezoning too commercial. One or more of the following alternatives could be incorporated into the plan to address this issue.

1. Incorporate language from the draft implementation section attached under *“Using the Land Use Plan for Zoning Review”* that explains the way the goals, objectives and land use classifications are used with the map to determine a request compliance with the plan.

2. Amend the Community Commercial land use classification’s description to read: “The locational criteria for community commercial areas include:

- Areas within the established Birch Run Township DDA boundaries;
- Areas adjacent to established commercial or service uses;
- Areas adequately served by water and sewer services;
- Areas separated from incompatible land uses such as single family residential.

The area along Birch Run Road from the current DDA boundaries to M-83 would be suitable for rezoning for commercial development when adequate utilities can be provided to the area.”

3. Amend the Future Land Use Map to show the area as Community Commercial. Incorporate on the map a provision stating that rezoning to this classification is appropriate only if adequate utilities are provided, unless it is the Planning Commission’s intention to open the entire area up to commercial development as is.

ADDRESS THE EXISTING COMMERCIAL SUP’S IN THE AGRICULTURAL DISTRICTS

Several commercial uses are currently permitted in the agricultural portions of the township. The concern was raised that these commercial uses are not mentioned in the plan and that silence might be interpreted in the future as an intention to eliminate them eventually through zoning. If the Planning Commission wishes to address this issue in the plan, the following amendments could be made to the descriptions of the open space/agricultural and dispersed residential classifications.

OPEN SPACE/AGRICULTURAL

The purpose of this classification is to protect farmland and rural character by controlling residential and other non-farm development in primarily agricultural and open space areas. It is the intent that agricultural areas will be maintained. Single family dwellings and accessory uses will be permitted by right in this district, while a limited number of non-farm uses will be permitted by special use permit. Cluster or open space development, in which residences are grouped together and a large portion of the original site is kept as open space, will be encouraged through zoning incentives. Other non-farm uses will be excluded or restricted. **Existing commercial uses approved through special use permits issued by the township are recognized, and it is not the intention of this district to encourage their elimination.**

DISPERSED RESIDENTIAL

The purpose of this classification is to control the development of non-farm uses within areas comprised primarily of open space and agricultural uses. Uses permitted by right in the agricultural/open space classification will also be permitted, while additional non-farm uses will be permitted by special use permit. Cluster or open space development in which residences are grouped together and a large portion of the original site is kept as open space, will be encouraged through zoning incentives. Other non-farm uses will be excluded or restricted. **Existing commercial uses approved through special use permits issued by the township are recognized, and it is not the intention of this district to encourage their elimination.**

MEDIUM AND HIGH DENSITY DEVELOPMENT SOUTH OF THE VILLAGE OF BIRCH RUN

Part of the area around the existing mobile home park on the south side of the village is set aside for high density residential uses. A concern was raised that more of the area should be designated for high density development.

The high density district includes townhouses, apartments and mobile home parks. Public resistance to mobile home parks might be one reason for concern over increasing the size of the area designated for high density residential, along with an assumption that higher density development is more appropriate within the village than in the township. Separating mobile home parks into their own classification and designating only that land near the existing park is used for development could address the first concern but not the second.

PROVIDING FLEXIBILITY IN USING THE MASTER PLAN IN MAKING ZONING DECISIONS

Concern was raised that while the current Planning Commission recognizes the proposed Future Land Use Plan Map is just a part of the guidance for future land use decisions included in the plan, future planning commissions may view the map as the zoning map. Attached is a proposed Implementation section that includes a section entitled "*Using the Land Use Plan for Zoning Review*" that explains the way the goals, objectives and land use classifications are used with the map to determine a request compliance with the plan.

Hopefully this material gives the Planning Commission with some ideas on potential approaches to address concerns raised at the latest public hearing. If any questions arise, please contact me at (810) 341-7500.

DRAFT

IMPLEMENTATION PLAN

The purpose of an implementation plan is to ensure that the goals, objectives and plans of the Township Master Plan are implemented and that the plan is kept current and maintained. It does this by the use of tools provided the Township by State laws, through development of local support for the plan and by establishing procedures for use of the plan in reviewing zoning decisions and maintaining the plan.

Zoning

One of the pre-eminent tools used by communities to reach the goals of their land use plan is zoning. Zoning is a regulatory power given by the State to Townships through the Township Zoning Act. The act authorizes the local units to establish zoning ordinances controlling the use of property and the height, bulk, and location of buildings on that property. In order for an ordinance to be effective in implementing a land use plan, it must be tailored to that plan. It follows, that when a plan is updated, the local zoning ordinance should also be updated to take into account those changes. The Township is preparing to update their Zoning Ordinance. This section will review proposed changes from the Township's current Zoning Ordinance that could assist them in meeting it's stated objectives.

Zoning District Uses — Implementation of this plan would require revision to some of the existing zoning districts and their boundaries. The current ordinance generally line up with the Land Use Classifications in this plan. The major change would be in any incentives provided for open space development in the rural residential areas. Any changes to the district boundaries would be based on the Future Land Use Map and the locational criteria included in the plan.

TABLE
ZONING DISTRICTS/LAND USE CLASSIFICATION COMPARISON

| ZONING DISTRICTS - MINIMUM LOT SIZE/DENSITY | FUTURE LAND USE CLASSIFICATION - PROPOSED MINIMUM/MAXIMUM DENSITY |
|--|---|
| A-1 PRIMARY AGRICULTURAL | OPEN SPACE/AGRICULTURE |
| A-2 GENERAL FARMING AND WOOD LOT | DISPERSED RESIDENTIAL |
| R-1 RESIDENTIAL (SINGLE-FAMILY, LOW DENSITY) | LOW DENSITY SINGLE FAMILY RESIDENTIAL |
| R-2 RESIDENTIAL (TWO-FAMILY, MEDIUM DENSITY) | MEDIUM DENSITY RESIDENTIAL |
| R-3 RES (MULTI FAMILY, HIGH DENSITY) | HIGH DENSITY RESIDENTIAL |
| B-2 COMMERCIAL (COMMUNITY WIDE) | COMMUNITY COMMERCIAL |
| B-3 COMMERCIAL (HIGHWAY SERVICE) | HIGHWAY SERVICE COMMERCIAL |
| M-1 INDUSTRIAL | INDUSTRIAL |

Other Text Changes — In addition to the changes in the zoning map and zoning districts, additional changes to the Zoning Ordinance are needed to implement the plan. These include:

- Modify zoning regulations to encourage use of conservation zoning and/or similar cluster zoning options.
- Separate new businesses from residential areas by requiring them to provide landscaping, fencing, and other methods which minimize noise, lights, dust, ground vibration and other nuisances.
- Develop strict zoning regulations and design guidelines that permit when appropriate, neighborhood-scaled commercial uses adjacent to residential areas.
- Establish zoning standards to ensure new commercial development is designed to give the same consideration to the needs of pedestrians, bicyclists and bus riders as to the needs of motorists and trucks.

- Establish provisions in the ordinance to incorporate open spaces, landmark and historic structures, natural land forms and stream courses as part of the design of new development. This will help ensure a high quality visual environment that is compatible with these important elements of the existing community.
- Integrate new development with zoning ordinance design guidelines prepared for the area, and with the scale, architecture and design of nearby quality buildings and landscaping to ensure compatibility and harmony in appearance.
- Adopt uniform sign regulations that restrict the size, number and placement of new signs and billboards in the Township.

One of the most important changes to the Township Zoning Act made in general overhaul of all local zoning enabling legislation in 1979, was the confirmation of a community's right to issue "special use" or "conditional use" permits. The special use permit provides a zoning ordinance with the flexibility that it often needs to permit a needed high impact use at an appropriate location while protecting the community's residents. The revised Ordinance should make greater use of these two techniques to increase the flexibility planning commission has in reviewing developments

Other Ordinances

Besides the zoning ordinance, State law has provided local communities with authority to adopt other special ordinances that can be used to enforce the goals and objectives of a land use plan.

Subdivision Control/Land Division Ordinances — Although the State's Land Division Act requires the developer of a subdivision to submit a proposed plat before a township for review and approval, it also authorizes a township if it wishes, to prepare a subdivision control ordinance. This ordinance may include stricter standards for subdivision design. In addition to review of subdivisions, since 1996 the township has been responsible for reviewing land divisions that do not require submission of a subdivision or condominium plat. In order to properly regulate these subdivisions and land divisions, the township should adopted local land division and subdivision control ordinances identifying the procedures and standards for approval of a land division or subdivision plat. These ordinances should be regularly reviewed and updated.

Other Local Tools

Besides the tools granted by state law, local communities have other tools that can be used implement the plan.

Engineering Construction Standards — Update standards to promote street layout that discourages cul-de-sacs and promotes continuation of existing street pattern

Procedural Manual — Public frustration over zoning rules are understandable. Most residents are not familiar with zoning provisions and requirements. They may need to deal with them a couple of times in their lifetime. But when they do, the ordinances legalese and the interconnect requirements and procedures can be extremely confusing. One way of reducing that confusion is to provide material that explains the most common zoning procedures and issues in plain english with the use of checklists and flow charts to graphically display the concepts. The plan recommends the development of a zoning procedural manual for use by the staff in educating the public and new Planning Commission, ZBA and Township Board members.

Public Education and Promotion of the Plan

An important part of the Planning Commission's responsibilities is the promotion of the plan to the general public. Strategies to educate the public on the intent and recommendations of the plan include:

- Develop a summary of the plan that is suitable for distribution to those with casual interest in the plan.
- Make copies of the plan available for public review at the Township hall, public library and other public locations.
- Encourage the use of the plan in civic's classes at area schools.
- Provide opportunities for Planning Commission members to speak at local service clubs and other civic groups concerning the plan.

Plan Maintenance and Update

A plan is not a static document. It must be continuously maintained and updated if it is to remain a valid document. Under recent amendments to the Township Planning Act, Planning Commissions are required to review their plans for consideration of an update at least every five years. Below are key indicators the Township can monitor to determine the need for updating the plan.

Updating the Data Base — This plan is based on certain assumptions concerning the growth of the Township. These assumptions are contained primarily in the plan's data base. It is important for the Township to regularly monitor these assumptions to determine if they are still valid. If they become invalid, the Township must determine what the changes in circumstances mean for the plan goals and objectives.

1. *Population Growth* — The plan is based on the projection growth contained in the population section of the data base. As noted in the narrative following the projections, there is always a certain amount of guessing that goes into population projections, and they should be continuously monitored.

2. *Housing Growth and Mix* — The plan makes assumptions on the growth of housing in the Township over the planning period and the mix of single family and multifamily units. The Township should monitor housing growth and mix to determine if it is following the projections. Differences in the mix of housing types between what was projected and what is built may mean certain assumptions on market demand for various housing types was incorrect. This could impact the population projections and also the land use need estimates contained in the plan.
3. *Adjacent Planning and Zoning* — Changes in the land use plans or zoning maps of adjacent townships and the Village of Birch Run should be reviewed to consider their impact on the Township's plan, preferably before that community makes a decision regarding the matter.
4. *Transportation* — The Township should monitor changes and proposed changes in their streets in the Township, possibly with an annual street survey.
5. *Utilities* — In order to permit development, the plan anticipates the expansion and extension of utilities into areas not currently served. As these improvements occur, the effect on the development potential of the property should be considered.

Reviewing the Plan Goals and Policies — After reviewing the updated information on the data base, the Township should review the goals and objectives. Specifically the Township is looking for goals or objectives that are no longer relevant due to changes in conditions or objectives that have proven ineffective in addressing goals. Those items that are identified should be deleted or modified in light of the new information. The plan should be officially amended to incorporate the changes in the goals or objectives and the basis for the changes should be reflected in a public hearing record.

Incorporating Plan Review Into Rezoning Request Review — Although an annual review is necessary for a comprehensive examination of the plan, many problems with a land use plan will become obvious during consideration of a rezoning or special land use permit request. It is important to incorporate review and amendment of the land use plan as part of the Township's consideration of such requests. This is covered in more detail in the subsection on using the land use plan for zoning reviews.

Using the Land Use Plan for Zoning Review

As noted earlier, the primary method of enforcing a land use plan is the zoning ordinance. In order for that to be done effectively, the community's rezoning and special land use permit request and site plan review procedure should be structured so land use goals and objectives are considered.

Rezoning Requests — In considering a rezoning request, the primary question to ask is: "Does this request conform to our land use plan?" Three subsidiary questions follow that; "Was there an

error in the plan?”, “Have there been relevant changes in conditions since the plan was approved?”, and “Have there been changes in the goals and objectives of the Plan?”. Answering these questions should answer the question whether or not a rezoning request is appropriate and that should frame the reason within the context of the plan.

This method of analyzing a request rests on the assumption that a request that complies with a valid plan should be approved and that one that does not comply with a valid plan should not be approved. Further, it assumes that the three circumstances that would invalidate a plan are a mistake in the plan, a change in condition that invalidates the assumptions that the plan was built on or a change in the goals and priorities that the community set for itself.

In considering whether or not a rezoning complies with the plan requires more detailed study than simply looking at how a piece of land is designated on the Future Land Use Map. The plan's goals and objectives and the intent and locational criteria of the various land use classifications should also be considered. The Future Land Use map is simply one arrangement of land use within the Township and is not intended to be an unalterable blueprint for the future zoning map. In some cases a particular area may be appropriate for more than one land use type. For example, a use may be equally suitable for local commercial or multi-family development. The map may designate it for local commercial, but that does not mean it should be excluded from consideration for multi-family as well. By considering the goals, objectives and land use classifications in the plan in addition to the map, the Planning Commission is more accurately weighing the conformance of a request to the intent of the plan.

Mistake — A mistake in a plan can be an assumption made based on incorrect data, an area on the land use map that is incorrectly labeled, or other factors that is known at the time of the plan adoption would have been corrected.

Changes in Conditions — A plan is based on the assumption that certain conditions will exist during the planning period. If those conditions change then goals, objectives and land use decisions that made sense when the plan was adopted may no longer be valid, and a rezoning that was not appropriate before is appropriate now.

Change in Policy — In the end, a plan is based on the future vision of the community held by the Planning Commission/Township Board. When that vision changes, the plan should change. When a zoning issue results in a change in vision, a decision can be made that is contrary to the current plan, as long as that changed vision is explicitly incorporated into the plan.

Two points should be made. First of all, the three factors for consideration (mistake, change in conditions, change in goals or objectives) can work in reverse, making a proposal that otherwise seems appropriate, inappropriate. Secondly, these factors should not be used to create excuses for justifying a decision to violate the land use plan, or to change it so often that it loses its meaning.