

## ELK RAPIDS TOWNSHIP

Pursuant to Public Act 267 of 1976, "Open Meeting Act." All meetings of the Planning Commission & Zoning Board of Appeals are open to the public and the public is welcome to address the Commissions on any item under its jurisdiction or on its agenda.

### MEETING AGENDA - PLANNING COMMISSION

Tuesday, July 12, 2022 – 06:30 PM

- A. Call to Order
- B. Attendance Sign-In Sheet for Quorum
- C. Agenda Approval for Tuesday, July 12th, 2022
- D. Public Comments
- E. Planning Commission Minutes Review & approval for the minutes draft of June 14, 2022.
- F. Elk Rapids Township Zoning Ordinance Proposed Text Amendment Public Hearing to Section 2.11

The Elk Rapids Township Planning Commission will hold a public hearing on Tuesday July 12, 2022 at 6:30 PM at the Government Center, 315 Bridge Street, Elk Rapids, MI to consider the following amendment to the Elk Rapids Township Zoning Ordinance:

**Amendment 2022-01:** Amend Zoning Ordinance Chapter 2 General Provisions, Section 2.11 Restrictions Applicable to Property Abutting Lakes Rivers and Streams, Sub-Section 2.11-A; amending the text to provide more informative details when work is being done in the protected 25' strip of natural vegetation.

#### Section 2.11 - RESTRICTIONS APPLICABLE TO PROPERTY ABUTTING LAKES, RIVERS OR STREAMS

Many lands within the Township are connected to, adjoin or abut lakes, East Arm of the Grand Traverse Bay, rivers, streams and wetlands. In the interest of protecting the water quality, controlling erosion, and preserving the natural setting of the shoreline, the following provisions are applicable:

A. A strip of natural vegetation shall be maintained paralleling the shoreline or streambed and traversing the property in question for a depth of twenty-five (25) feet beginning at the edge of surface loam soil or a contiguous root system, whichever occurs nearest to the shoreline. For undeveloped lots only no more than thirty (30) percent of all living trees and shrubs may be removed by cutting them to grade level. Trees and shrubberies may be trimmed and pruned for a view of the water from the property. No land alterations including the removal of tree stumps and natural ice dams shall be allowed within this native protection strip.

If the applicant desires to remove thirty (30) percent of all living trees and shrubs as noted above the applicant shall submit a site plan in accordance with Chapter 17 and specifically document all trees and shrubs 25 feet landward of the shoreline or streambed. A count of trees and shrubs shall be documented including the type and size.

The site plan shall be prepared by a Natural Shoreline Professional certified by the Michigan Natural Shoreline Partnership or a qualified professional and shall detail the proposed modifications to the property to enable the Planning Commission to determine the extent and potential impacts of proposed changes. In addition to the review process outlined in Chapter 17, prior to Planning Commission action on the request, the applicant shall submit the site plan to the Antrim County Soil Erosion Control Officer for review. The tree/shrub removal design shall make every effort possible to maintain a forested/wooded shoreline character.

The Planning Commission may require a performance guarantee as outlined in Section 17.08 to insure only designated trees and shrubs have been removed as indicated on the site plan approved by the Planning Commission. An inspection coordinated with the Township Zoning Administrator and the Antrim County Soil Erosion Control Officer shall take place after the thirty (30) percent site modification has been completed to determine whether stipulations have been met and whether Township permits can be issued. If the condition of the site is in compliance with approved plans, any such performance guarantee shall be returned to the applicant.

Open – Reports - Public Comments – Close - Discussions

**G. Township Zoning Administrator Report (Larry Nix)**, with any additional information for PC review

(1) Update on Renate Daniels, Bass Lake Project

**H. Township Legal Staff Report (Bill Derman)**, and with any additional information for PC review:

**I. Unfinished Business**, and with any additional unfinished business brought forward:

(1) Status Report on the ER Twp Michigan Natural Tree & Shrub List proposed to be compiled for public educational awareness purposes for assistance in replacement of designated and acceptable native trees, shrubs and vegetation species with specific criteria as to the tree/plant sizes at the time of planting.

**J. New Business**, and any additional new business brought forward:

(1) Possible review of the current farm market (markets) ordinance section toward developing a better understanding of exactly what is allowed in the Ag zone and what isn't allowed, i.e. commercial retail chain stores.

**K. Public Comments**

**L. Member Comments**

**M. Adjournment**