

CHAPTER 6 PLAN IMPLEMENTATION

Introduction

As important a benchmark as this Plan represents, the initiatives proposed in this Comprehensive Plan will not implement themselves. It will take the concerted efforts of citizens, elected officials and local and county administrative officials to bring this Plan from concept into reality. It will take continued support and commitment for many years. However, the goals of this Plan and the policies proposed to implement it offer the promise of a much better future than that likely to occur if recent trends continue unchanged.

Benefits to all groups will be numerous and most visible in terms of lower infrastructure and maintenance costs for public facilities and retention of the scenic character of the landscape (so cherished by residents and visitors). Many indirect benefits will also occur. These include improved access to information needed for decision-making and better cooperation among units of government.

The central ingredients to successful Plan implementation will be:

- *Commitment by the County Planning Commission, citizens, the County Board of Commissioners and support from local units of government.* Implementation of the Comprehensive Plan will require the County and local governments, businesses and citizens to drop some old habits and adopt some new approaches. This is not always easy to do. However, the desired vision will not be reached without commitment by all involved.
- *A better educated citizenry and local officials.* While many citizens and officials want trends to change, they lack the knowledge to make them change or don't understand the cause and effect link of actions they take on an ongoing basis. Information about more appropriate residential development patterns, the fiscal and land use constraints of extending urban services, farming methods, forestry methods, property rights, scenery and open space preservation, natural resource protection and other tools to sustain the quality of life in Benzie County need to reach citizens and officials or they will not understand why and how local decision-making must change.
- *An up-to-date, accessible data base and mapping (GIS) capacity at the County level.* Local plans and development regulations will be easier and less costly to prepare and maintain because the information in the County GIS System can easily be updated and displayed on maps. By working in partnership with the County in a manner consistent with this Plan, local governments will be able to justifiably provide for an appropriate range of land uses in their plans and zoning regulations. This could eliminate the continued scattering of commercial and industrial uses in inappropriate locations while improving the success of businesses established in appropriate locations.

Focusing on Priorities

It is easy for a Planning Commission at either the County or local level to become distracted with ongoing tasks or ad hoc, controversial issues. Still, the Commission needs to prioritize its tasks. Time needs to be set aside for high priority items. These include the preparation of an annual report and work program for the next year, an update to the capital improvement program and the five-year Plan update. These are discussed below.

Annual Tasks

An annual report on all activities undertaken by the County Planning Commission with a special focus on actions taken to implement the Plan should be made to the County Board of Commissioners. A proposed work program that identifies priorities and projected expenses for the next year should also be prepared and submitted in time to be included in the annual budget process. The Planning Commission should also assist the County Administrator with the preparation and annual updating of a capital improvement program. Periodically, and at least once each five years, the Comprehensive Plan should be thoroughly reviewed and updated by the County Planning Commission.

Top Priorities

The Planning Commission can not be expected to accomplish all of the actions listed in the Background Reports. Many of these can only be accomplished by other agencies or groups. It is key that discussions begin with those groups so that they understand the goals, find agreeable common ground where there are differences and obtain a commitment to the action.

One approach to establishing priorities is to use the following standards:

- Make a high priority those actions that are the precursor to other steps. One example is the action to establish watershed planning groups. This needs to happen before water quality monitoring (on a watershed basis) and watershed management planning and implementation can occur.
- Those actions that are assigned to a particular group are a high priority.
- A lower priority may be those actions that do not assign a group or broadly identify the "County," as the responsible party.
- If an action does not list a responsible party, it remains a lower priority until a group or agency steps forward.

The following activities should be the key priorities of the Planning Commission for the next five years:

- Educate all *local units* about the vision, goals, objectives and policies of the new County Comprehensive Plan and provide technical assistance in the integration of these elements into local plans and zoning decisions.
- Educate all *citizens* about the vision, goals, objectives and policies of the new County Comprehensive Plan and provide technical assistance in the integration of these elements into property owner development and redevelopment efforts.

- Update the County Zoning Ordinance to be consistent with this Plan.
- Directly use this Plan in the analysis and review of proposed rezonings, zoning text amendments, and new or amended master plans submitted to it for statutory review and approval. This means recommending approval for actions consistent with the Plan and denial or modification for actions inconsistent with this Plan.
- Exercise review authority in ways to improve local decisions by guiding decisions toward integrated and coordinated solutions based on the core policies in this Plan.
- Provide training and technical assistance to local governments on general planning, zoning and capital improvement programming.
- Upgrade the GIS and provide maps, GIS analysis services and related technical assistance to local governments and governmental agencies in the County.
- Monitor local and County agency decisions and periodically inform local governments and the County Board of Commissioners on the status of efforts to improve land use decision making in Benzie County.
- Provide technical assistance and guidelines on alternative approaches to deal with identified land use and infrastructure problems.
- Join efforts with others outside the County to modernize planning and zoning enabling legislation and to authorize new tools to better manage growth and preserve open space.
- A County-wide Agriculture and Open Space Preservation Plan should be developed and implemented. This Plan would prioritize lands for open space preservation, identify and implement tools for acquisition of title or development rights from willing sellers and set up funding mechanisms for implementation. It would also develop strategies to help insure the financial success of Benzie County farmers.
- Design guidelines should be developed and promoted by the County Planning Commission that illustrate how to protect rural and scenic character and open space values on private residential, commercial, industrial, public and institutional properties. An example is the **Grand Traverse Bay Region Development Guidebook** that illustrates a preferred development approach that protects scenic quality, open space, water quality and sensitive environments.
- Residential development standards should be prepared that set aside open space and employ vegetative buffers along roadsides and where there are sensitive environments, greenways and potential trail and wildlife corridors. These standards should be adopted as part of site plan review, cluster ordinances, conservation subdivision ordinances, site condominium ordinances and planned unit development ordinances.
- Watershed planning groups and watershed management plans should be established for each watershed in Benzie County.
- Preparation of a county and local capital improvements program.
- Preparation of a county subdivision control ordinance.

- Development of a county-wide affordable housing plan and implementation strategy.
- Periodically update the Background Reports that provide the technical foundation for this Plan.

Dealing with Issues of Greater than Local Concern

Local jurisdictions frequently deal with issues that have implications beyond the jurisdiction (both intra-county and inter-county). Public interests that are broader than simply local interests include (but are not limited to) those in Table 6-1.

Table 6-1 Issues of Greater than Local Concern

- Protecting the Environment and Natural Resources
- Watersheds and water quality
- Wetlands protection
- Floodplain protection
- Land pollution (ex. arsenic along trails)
- Soil conservation and stormwater pollution (e.g. Arcadia Bluffs)
- Air pollution
- Groundwater pollution
- Oil and gas pollution
- Noise pollution
- Water pollution of inland lakes (esp. Platte Lakes, Crystal Lake), rivers and streams
- Protection of sand dunes
- Wildlife corridors and fish and wildlife habitat protection
- Protection of unique and endangered species
- Sustainability of privately owned forest land
- Water surface under control of multiple local jurisdictions, especially as relates to keyhole development
- Use of public access sites
- Maintaining a “sense of place” where that sense is the major attraction for tourists and the service sector economy.

Siting Public Facilities or Providing New Public Services

- Solid waste and recycling
- Emergency services (fire, ambulance, police) – to achieve greater efficiency (involves the U.S. Park Service, and DNR)
- Transportation/roads
- Mass transportation (greater than county service area)
- Trails (siting of) – federal, state, local, and property owners
- “Regional” park facilities (very large, e.g. pool or hockey rink – needs a large customer base)
- District library and district boundaries for libraries
- Mental and other health facilities
- Provision of senior services – location of facilities, including handicapped services
- Extension of utilities

Maintaining a Sustainable Economy and Promoting Economic Development

- Real (livable) wages, job opportunities for young adults and families with children
- Lack of seasonal workers – lack of an intermediate job base
- Harbors (Frankfort and Elberta), Platte River free flow
- Adequate lifelong educational opportunities for all citizens
- Adequate affordable housing for middle and low income persons.

Land Use

- LULU’s (locally unwanted land uses that meet a regional need, such as gravel pits, junk yards, landfills, communication towers, etc.)
- Large scale development (resorts, shopping center, airports, etc.)
- Strip development along main roads
- Density in some rural areas that is too high to cost effectively service and a current zoned density that will exacerbate this problem.
- Compact settlement pattern vs. dispersed settlement pattern and the associated impacts on infrastructure extensions or establishment of infrastructure
- Siting affordable housing
- Lack of similar regulations and enforcement across jurisdiction boundaries
- Compatibility of land uses along jurisdiction boundaries regarding zoning and land use issues
- Loss of open space
- Regional focus on open space preservation and farmland preservation
- Protecting important viewsheds and rural corridor views

Other

- A sovereign nation within the County making independent land use decisions
- A nonresident (largely seasonal) population that (for the most part) does not vote locally, but does pay taxes locally
- Lack of a tax or fee of users of state resources here
- Interjurisdictional equity issues
- Intergenerational equity issues
- Sustainability.

In many instances, these issues of greater than local concern revolve around common environmental features (which do not respect municipal boundaries), infrastructure, and the needs of special populations.

It takes a basic change of attitude toward other jurisdictions to effectively deal with these issues. It takes recognition that the citizens of both (or several) jurisdictions face the same potential loss or gain. It takes acceptance that the other jurisdiction is not in competition or opposition, at least not on every aspect of the issue. It takes the ability to exercise mutual respect in areas of overlapping responsibilities and mutual support where responsibilities are separate but compatible in pursuit of common goals and a common vision of the County. By jointly engaging the issues, common ground can usually be found. It is the common ground that is most often used as the basis for effective interjurisdictional cooperation.

Role of Key Players

It will take the efforts of many different groups to implement the Benzie Comprehensive Plan. Key among them are the local planning commissions and governing boards, the County Board of Commissioners, the County Planning Commission and the County Planning Department.

The framed text on Table 6-2 on the next three pages lists the traditional roles and responsibilities of local planning commissions, local governing bodies, the County Board of Commissioners, the County Planning Commission and the County Planning Department. These traditional roles are proposed to be continued, but some changes are also proposed to strengthen the ability of these entities to take actions to implement this Plan. These changes are summarized in the text following Table 6-2. A more detailed description of these changes is found in the Intergovernmental Cooperation Subcommittee Background Report.

Table 6-2
TRADITIONAL RESPONSIBILITIES OF
THE LOCAL GOVERNMENT DECISION-MAKERS

County Board of Commissioners

The County Board of Commissioners must take the lead in order to initiate planning in the County. Its basic statutory and administrative responsibilities are as follows (not all of these are currently being performed):

- Create County Planning Commission and thereafter periodically appoint qualified and interested persons to serve on the Planning Commission. There should be at least one person serving as a liaison between the two bodies.
- Periodically hold a joint meeting with Planning Commission to go over issues of common interest.
- Adopt zoning ordinance and subdivision regulations and any subsequent amendments.
- Approve funding for the planning/zoning program each year including funds for training and continuing education of commissioners and staff, and for public education on planning and zoning.
- Approve hiring of consultants recommended by the Planning Commission.
- Take action to support the goals, objectives and policies in the Plan.
- Ask Planning Commission to prepare an annual report of activities and a proposed work program for the next year, in enough time to be considered in the budget process.
- Ask Planning Commission to review proposed capital improvements for consistency with the Plan prior to the County Board adoption of a capital improvement program.

County Planning Commission

The County Planning Commission was created by the (then) County Board of Supervisors on April 12, 1976 pursuant to the requirements of the County Planning Act, PA 282 of 1945. It also has the responsibilities of the County Zoning Board under PA 183 of 1943. Currently, the County Planning Commission is responsible for:

- Preparing and maintaining a plan for the development and protection of the County. It will adopt the Comprehensive Plan as a replacement for its 1993 and 1974 Plans.
- Preparing and proposing amendments to the County Zoning Ordinance.
- Making recommendations on proposed Township plans and/or rezoning or text amendments.
- Attempting to prevent incompatible planning and zoning along governmental boundaries.
- Reviewing and commenting on proposed new public lands, facilities or improvements for consistency with the Comprehensive Plan.
- Review and comment on proposed PA 116 Farmland and Open Space Enrollments.
- Preparing the County Overall Economic Development Plan.
- Preparing and maintaining the County Solid Waste Management Plan.
- Reviewing federal grant applications.
- Receiving, storing and sharing data from the Michigan Resource Inventory Program.
- Providing information and education services for the U.S. Bureau of the Census.
- Serving as County Council for the Resource Conservation and Development Program of the U.S. Dept. of Agriculture.
- Receiving citizen comments on local planning and zoning issues and acting upon or referring those comments as appropriate.
- Coordinating planning and associated development regulations with other governmental units and public agencies.
- Learning about and staying up-to-date on the responsibilities of the Planning Commission and on various tools available to implement local plans.

Traditional Responsibilities of the Local Government Decision-Makers (Continued)

Local Governing Bodies

The local city or village council and township board of trustees also have specific planning and zoning responsibilities. These include:

- Appointment of qualified persons to serve as members of the Planning Commission/Zoning Board and Zoning Board of Appeals.
- Adoption of ordinances recommended by the Planning Commission for implementation of the comprehensive plan, including when supported by the governing body, a zoning ordinance and subdivision regulations.
- Providing an adequate budget for the Planning Commission to carry out its responsibilities including keeping the plan and zoning ordinance current, and receiving proper training on their roles, responsibilities and new tools and techniques for improving the community.
- Providing adequate staff and financial resources (including setting fee levels) for proper enforcement of adopted regulations.
- Conducting required public hearings prior to acting on zoning, subdivision or infrastructure development matters.
- Receiving and acting upon citizen complaints related to planning and zoning issues and as appropriate, referring matters to the Planning Commission for action.

Local Planning Commissions

Planning commissions in cities and villages in the County are organized under the Municipal Planning Act, PA 285 of 1931. Township planning commissions are organized under PA 168 of 1959. Some of their principal responsibilities include:

- Creating, adopting and maintaining a local comprehensive plan to guide future land use change and to serve as the legal basis for the local zoning ordinance.
- Creating, maintaining and administering responsibilities under the local zoning ordinance (for those municipalities with local zoning) adopted pursuant to the City-Village Zoning Act, PA 207 of 1921 or the Township Zoning Act, PA 184 of 1943.
- Advising the local governing body on proposed rezonings, text amendments, plats, land divisions, capital improvements and related planning and zoning decisions.
- Responding to the recommendations of the County Planning Commission and/or the County Planning Department on planning and zoning issues.
- Making recommendations on special projects or delegated responsibilities (e.g. zoning ordinance enforcement)
- Working with property owners in order to try and achieve good development (or redevelopment)
- Educating citizens on the values and benefits of planning
- Receiving citizen comments on local planning and zoning issues and acting upon or referring those comments as appropriate.
- Learning about and staying up-to-date on the responsibilities of the Planning Commission and on various tools available to implement local plans.

County Planning Department

The County Planning Department is a service agency of the County designed to provide assistance to the County Board of Commissioners, the County Planning Commission, to local governments and property owners in the County. Specifically its responsibilities include:

- Assisting the County Planning Commission in fulfilling their statutory responsibilities under the County Planning Act including assisting with the preparation and maintenance of a County Plan and coordinating local planning activities in the County.
- Providing technical assistance and technical information to the County Planning Commission, local governments, local planning commissions, the County Board of Commissioners and other County agencies, and to the general public.

Traditional Responsibilities of the Local Government Decision-Makers (Continued)

County Planning Department (Continued)

- Providing review and analysis of the consistency of proposed new public facilities with the Comprehensive Plan for consideration by the County Planning Commission.
- Analysis of proposed township plans and amendments for review by the County Planning Commission.
- Analysis of proposed township zoning ordinances, rezoning proposals and proposed amendments for review by the County Planning Commission.
- Representing the County on various committees, groups and task forces.
- Maintaining and providing staff support in the development and updating of the County Solid Waste Management Plan.
- Administering the County Zoning Ordinance.
- Administering the County Soil Erosion and Sedimentation Control Ordinance.
- Coordinating planning, zoning and infrastructure decisions with various county, state and federal agencies.
- Preparing the County Overall Economic Development Plan.
- Preparing and reviewing state and federal grant applications.
- Responding to special project requests of the County Board of Commissioners and other agencies.
- Making reports to the County Board and other agencies on issues of planning or special interest in the County.
- Developing and maintaining a computerized geographic information system for the County.
- Receiving, storing and sharing data from the Michigan Resource Inventory Program.
- Serving as the primary repository for socioeconomic, census, environmental and other data concerning the County.
- Providing information and education services for the U.S. Bureau of the Census.
- Developing and implementing budgets and work programs for Department activities.
- Staying abreast of contemporary planning and related research, and new laws and regulations.

New Roles of the County Board of Commissioners

The first new responsibility of the County Board of Commissioners will be to reconstitute the County Planning Commission. This will require amending the ordinance creating the original Planning Commission to include the duties and responsibilities described below.

It will be important for the County Board of Commissioners to endorse the County Comprehensive Plan, and thereafter approve any major amendments to the County Plan. No other action will more graphically demonstrate continued County Board support for this important growth management tool.

As County Planning Department staff responsibilities grow, so must the number of qualified staff to meet those needs. There will likely be necessary, increased funding requirements. Opportunities will continue to open to provide maps, and other services on a fee basis. These should be explored as supplemental revenue resources, but not at the exclusion of completing other required responsibilities.

Consideration should be given to establishing a creative program of local financial support, and in-kind professional services to local governments who desire to modify/update local plans or development regulations to be in conformance with the County Plan. Professional services, maps and data from the County Planning Department could go a long way to helping local governments do the best possible job with local planning and zoning programs. This type of carrot (or even better, local financial support) will probably do more to speed plan implementation than any other single action.

New Roles of the County Planning Commission

The County Board of Commissioners would amend the ordinance creating the County Planning Commission to include all the traditional responsibilities of a County Planning Commission as well as some new duties. In reorganizing the County Planning Commission, the County Board of Commissioners would also delegate the authority permitted under section 4a of the County Planning Act (MCL 125.104a).

The County Board would adopt an annual capital improvements program (CIP). The CIP would involve merging all local CIP's along with a strategy for prioritizing proposed projects along with definitive financing plans for the improvements to be constructed in the earlier years of the program for those County programs on the list. This activity would be performed by the County Planning Commission with assistance of the County Planning Department. Decisions on new County public facilities would be made by the County Board of Commissioners, but only after receiving a recommendation by the County Planning Commission as to consistency with the County Plan and the current capital improvements program.

The County Planning Commission would organize standing subcommittees composed of individuals qualified by experience, training, or interests to assist in the consideration and solution of problems of greater than local concern. The subcommittees would be charged with advising the Planning Commission (before it acted) on any issue of greater than local concern as so assigned by the Planning Commission. Staff of the County Planning Department would assist the subcommittee within the parameters of the task assigned by the Planning Commission and within the time and other resources available.

New Roles of the Local Planning Commissions and Governing Bodies

All local governments would have a local master or comprehensive plan that was consistent with the County Comprehensive Plan, and was updated at least once each 5 years. All local zoning ordinances would be consistent with the local plan and would also be updated at least once each 5 years.

Local planning commissions would coordinate plans and zoning regulation closely with those of adjacent jurisdictions.

Stronger involvement by the governing body will be needed in preparation and maintenance of the local comprehensive plan as the governing body would also approve the plan following adoption by the local planning commission.

Local administration and enforcement of zoning ordinances will need to be improved. It could be contracted to a private party, or shared between several local governments or even contracted from the County.

Local planning commissions, working in concert with their governing body, would participate in the preparation of (and thereafter annually update) a 6-year capital improvement program (CIP).

Where a township did not have adequate financial resources, it would consider dropping local zoning and falling under County zoning. If it could, it would still maintain a planning commission and advise the County Planning Commission on planning and zoning issues in its township.

New County Planning Department Roles

The County Planning Department would provide expanded technical assistance services to local governmental units in support of actions to implement the County Plan. The County Planning Department would be permitted to offer these services on a fee or other basis pursuant to guidelines proposed by the County Planning Commission and approved by the County Board of Commissioners.

A multi-year plan for the data center should be developed and annually updated, along with the necessary protocols and referencing mechanisms to ensure proper maintenance of the data and other library materials in the data center. Receiving, storing and sharing data from the Michigan Resource Inventory

Program and providing information and education services for the U.S. Bureau of the Census would be special elements of the data center function.

Tools to Implement the Plan

The basic tools for implementing the Comprehensive Plan are the County Zoning Ordinance, the local Master Plans, capital improvement programs and development regulations (including zoning ordinances, land division and subdivision regulations and other, similar regulations). Not all local jurisdictions in the County have all these tools in place.

County and local regulations should be updated to conform with the policies in this Plan. Following an initial update, plans and local development regulations should be updated on a regular basis.

Mechanism for Updating the Comprehensive Plan

It is very important that the annual priority-setting and budgeting sessions of the County and local Planning Commissions be institutionalized. An annual report on actions taken to implement the Plan should be made to the County Board of Commissioners (and by local Planning Commissions to the local governing bodies), along with adoption of any necessary amendments by the Planning Commission. Periodically, and at least once every five years, the Comprehensive Plan should be thoroughly reviewed and updated.

Concluding Thought

This Comprehensive Plan represents thousands of hours of input by citizens and local government officials in Benzie County over the past several years. The circumstances it is intended to address did not occur overnight and they will not be resolved overnight. However, this Plan sets forth another option to a future that will inexorably be created if existing trends and uncoordinated decisions continue. Existing trends are fueled to a very great extent by existing plans, regulations and institutional relationships. To create a future different from existing trends, then current plans, policies, regulations and institutional relationships must also be changed.

Perhaps the catalyst for that change is for the preferred vision of Benzie County, *and what it takes to get to that vision*, to be part of the "story" of Benzie County that every resident, of every age, knows by heart. We all know that George Washington was considered one of the great founding fathers because he couldn't tell a lie. So if all Benzie County residents know that clustering, conservation subdivisions, urban services districts, farmland preservation, design guidelines and vegetative buffers are necessary for Benzie County to remain scenic, there is a greater chance that Benzie County will remain scenic.