

EMPIRE TOWNSHIP

MASTER LAND USE PLAN

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EMPIRE TOWNSHIP MASTER LAND USE PLAN

INTRODUCTION

The Empire Township Planning and Zoning Board's philosophy in creating this Master Land Use Plan is to meet the current and projected needs of the Township and to retain the rural and pristine character of the area that is enjoyed today. Thus, the Master Land Use Plan has been prepared and adopted to bring about the most appropriate uses of land and future development within the Township. Due consideration has also been given to the health, safety and welfare needs of its citizens. It is the objective of this plan to be compatible with the overall plans of Leelanau County, neighboring townships and the applicable Federal, State and County statutes or directives in effect at the time this plan was adopted.

Input for the Planning Board's work was obtained from a visioning session on March 22, 2004 (see appendix) and public input sessions on October 25, 2004; November 22, 2004; and from the public hearing on October 27, 2005. Additional public input was received at Planning Commission meeting during the master plan process. The Township Board adopted this Master Plan at their November 8, 2005 meeting.

This Master Land Use Plan is based on the best knowledge and data available at the time. In addition to an annual review of the plan, the Planning and Zoning Board will update the plan at least every five years, to reflect changes that occur in the county as well as the Township.

GUIDING PRINCIPLES FOR EMPIRE TOWNSHIP

The intent of the Township is to provide guidance in appropriate areas to best satisfy the needs of all constituents through orderly and focused planning coupled with reasonable decision-making on current issues.

Guiding principles are statements that represent the essence of what a community values most and wishes either to encourage or not to have violated as growth and change occurs. The following are the Guiding Principles for Empire Township, which were derived from a visioning session on March 22, 2004 and from discussions among planning and zoning board members through November 8, 2005.

1. **Maintain the Rural Character of the Township.**

The Empire area is a beautiful and desirable location. People want to relocate or purchase a second home here. The Township, together with the Village and neighboring Glen Arbor Township, occupies lands endowed with a wealth of natural resources, beauty and open spaces, including frontage on Lake Michigan, Glen Lake and South Bar Lake. It is the setting for the Sleeping Bear Dunes National Lakeshore, heavily forested lands, sand dunes and wide-open spaces. The varying topography is magnificent to look at and roads in the Township are well traveled. The views they provide are vital resources to the Township and preserving them is a necessity.

As the Township's lakes and watersheds are a prime component of what makes it a popular place to live and to visit, water quality in the Township is critical to the future success of the Township as an appealing place to live and as an attractive destination for tourists.

Another key attraction in the Township is the vast amount of open space and agricultural lands. These land areas provide scenic beauty that all residents and tourists enjoy when traveling throughout the Township. These picturesque lands are part of the Township's rural heritage.

Listed below are polices that can be implemented to help maintain the open, rural character of the Township.

Locate future growth near existing development.

- Focusing population growth in the areas adjacent to populated areas, and trying to match or complement lot size and density to that of the Village on adjacent lands wherever possible.
- Locate commercial growth near the Village, where possible. Where not possible, restrict and regulate such growth to already developed areas.
- Discourage or minimize water and sewer expansions beyond the Village area.

Maintain open spaces and natural resources.

- Protect the water quality and beauty of lakes and streams by establishing buffer areas along the water's edge that consist of natural vegetation and undisturbed open space, slowing the flow of surface water to minimize soil erosion and siltation of the Township's water resources.
- Minimize the loss of quality vegetation and grading on steep slopes.
- Preserve valuable natural resources by encouraging the clustering of housing with no loss of density.
- Interconnect valuable natural resources, when possible, and create a system of connected open spaces and natural environmental corridors, providing incentives to establish open space corridors.
- Discourage development on sensitive land types such as wetlands, agricultural lands, dunes, and prime forestlands.

Maintain views along major roads.

- Preserve existing viewsheds along major highways and control signage and billboards.
- Cluster development within wooded areas, manage development along road corridors, discourage structures on ridgelines, preserve existing tree lines and canopies along roads, promote shielding techniques and minimize the number of accesses to highways.

Value and encourage agricultural uses.

- Value agriculture and develop policies and land use regulations that expand the definition of agricultural uses, help farmers continue operations and permit uses that allow the sale of agricultural products.
- Promote conservation initiatives such as the Farmland and Open Space Preservation Program (PA 116), Purchase of Development Rights (PDR), and Commercial Forest Act (PA 94 of 1925).
- Encourage the incorporation of existing agricultural structures such as barns, silos and old farmhouses in new developments to preserve the rural character of the area.

Protect Water Quality.

- Work with other jurisdictions and agencies to develop a wellhead protection plan and to protect the water quality of the lakes, rivers and streams in the Township.
- Minimize septic problems by studying sewers and alternative wastewater systems.
- Engage in continuous planning to protect water quality when new developments are proposed and consider development of sewer and sewage facilities in those instances when a demonstrated need exists, limiting capacity to what is sufficient to meet the demonstrated need.

Plan for recreational uses.

- Support tourism based on natural resources as an economic industry, while insuring that natural resources are not over-burdened.
- Encourage different types of recreational uses that are low impact in terms of noise, and crowds and do not adversely impact natural resources.

2. Plan for Growth Compatible with the Existing Character of the Township

Developments can vary widely, and some seemingly less intensive uses can result in greater land use and have a greater impact than more intensive uses. Empire Township has a limited amount of land available for development and that land must be developed wisely for the enjoyment of the present community and future generations.

Think design, not density.

- Understand the different parts of the Township, how they differ, and respect existing land use patterns.
- Avoid a “one size fits all” mentality for regulating land uses.
- Minimize excessive widening, paving and curbing of roads, designing roads to follow the natural contour of the land or the character of a neighborhood.
- Encourage developments designed around a common element, such as a park, open space or civic building.
- Encourage clustering as a means to preserve open space and natural resources.

Create a mixture of commercial activities.

- Promote homegrown businesses, family owned businesses, and local entrepreneurship.
- Discourage drive-in or drive-through businesses, especially in areas visited frequently by tourists.
- Encourage mixed-use development that provides compact places for people to live, work, shop and play.
- Allow light industrial uses where they will least conflict with surrounding land uses and where public utilities are readily available.

Encourage a Variety of Housing Types.

- Encourage the development of housing to satisfy the lifecycle housing needs of residents of all income levels.
- Encourage the development of affordable housing for people who work in the Township.
- Encourage the disbursement of affordable housing throughout the Township instead of concentrating it in monotype developments.
- Allow accessory dwelling units throughout the Township.

3. Collaborate with Residents and Other Jurisdictions.

Fair and consistent governance to support the quality of life for all Township residents while respecting individual property decisions within established guidelines is fundamental. In addition, the Township, the Village and the Townships: Glen Arbor, Kasson, Lake, and Platte are socially, physically and economically connected. When one area is thriving, it benefits the other. Conversely, when one area loses its appeal, it is detrimental to the other. It is critical to be familiar with the plans, visions, events and developments in neighboring jurisdictions and to work together. To that end, the Township should pursue the following:

- Coordinate zoning on land next to the Village with the zoning regulations of the Village on adjacent lands.
- Coordinate zoning on land next adjacent to surrounding Townships.
- Become familiar with the vision, master plan, and zoning regulations of the Village.
- Become familiar with the vision, master plan, and zoning regulations of surrounding Townships.

EXISTING LAND USES AND ENVIRONMENT

When developing a future land use plan it is important to have an understanding of the existing land uses, the relationships between them, and the natural environment. This knowledge provides the basis for determining the appropriate future land uses. Some of the existing land uses may be acceptable to continue, while others should change. The future land use plan illustrates the desired land uses to occur during the next twenty years.

The existing land use information was gathered from various sources, including the 2000 Existing Land Use Map, a Generalized Land Use Map, and watershed planning maps. These maps are provided in this document.

Existing Land Use Map

In March of 2004, Leelanau County developed an existing land use map using Michigan Resource Information System (MIRIS) data that consisted of aerial photography taken in 2000. The Township was separated into different categories illustrating the uses. This map shows 2,558 acres of agricultural land; 18,298 acres of forested/open land; 364 acres of single family/duplex; 5 acres of commercial; 110 acres of institutional/transportation; 113 acres of outdoor recreation space; 2,640 acres of lake/pond; 198 acres of wetland; and 347 acres of beach/sand dune area. It also shows that there are 7,664 acres in Federal ownership and 1,786 acres in State ownership. There are 628 acres in the Village of Empire, which are not included in the Township's acreage calculations.

In referencing this map, it appears that the majority of the Township residents live adjacent to Glen Lake with the next highest concentration residing near the Village of Empire. Residential development has also occurred along roadways and not in concentrated areas. The active farming areas are either west of Kitlinger Road/Fredrickson Road or east of Plowman Road. There is very little commercial development in the Township and there are no active industrial operations.

Generalized Land Use Map

Although the Existing Land Use Map provides a basis for information, it is based on an interpretative study of the Township using aerial photography and is not an on-site evaluation of land use patterns. To better understand existing land use patterns and have access to current land use data, a Generalized Land Use Map was created.

A Generalized Land Use map conceptually illustrates the development patterns and land uses in the Township. This map was developed at the April 26, 2004 Planning Commission meeting. It used the Existing Land Use Map as a guide while Planning Commission members, along with members of the audience, drew the types and locations of land uses occurring in the Township. The areas drawn on the maps were broad and based on people's perception on the current land use and features present. Some parcels had more than one land use description.

The participants identified nine classifications of land use in Empire Township. The descriptions of these land uses are not specific. They give a “snapshot” of the type of development or land use that currently exists in the specified area. The land uses are as follows:

Natural Resources: “Places to preserve and maintain.” Includes delineated and perceived wetland areas.

Active Farming: “Places to farm.” Includes areas where lands are actively farmed.

Active Forestry: “Places to timber.” Includes areas where lands are actively forested.

Recreation: “Places to play.” Includes areas where lands are used for recreational use, such as a golf course or model airplane park. This classification includes the publicly owned Federal and State lands. Trails are also in this description, and include the Shore-to-Shore Trail, snowmobile trail, and a trail in the northeast corner of the Township.

Commercial/Recreation: “Places to play and work.” This is a hybrid between recreation and commercial land uses. These areas, such as the golf course, offer recreational activities, provide a place of employment, and are privately owned.

Single Family: “Places to live.” Includes single-family residences.

Mixed Residential & Commercial: “Places to live, shop, and work.” Includes single-family residents, stores, bed and breakfasts, hotels, higher density dwelling units, and other small commercial operations.

Commercial: “Places to work and shop.” These include active business operations such as the boat dealer.

Visual Highway Corridor: “Places to see.” The current views from Empire Highway and Leelanau Highway have varying topography, forested lands, and open areas that are magnificent to look at. These areas are well traveled and part of the visual character of the Township.

Watershed Maps

A common theme in the Guiding Principles and in concerns expressed by residents is water quality. When planning for the future, it is important to understand the issues and how the surrounding land uses affect water quality.

Watershed management is a planning tool that can be used to understand these issues and concerns and help identify which improvements/implementations are needed to protect water quality. A watershed is the land area draining to a common body of water such as a river, lake, or wetland. The activities that occur in a watershed affect the quality of water. Empire Township is divided into four watershed-management areas: Crystal Run, drainage to Lake Michigan, North Branch Platte River, and Platte River drainage.

There are three watershed management plans that describe land uses in the Township and their impact on the water quality. The Platte River Watershed Management Plan was adopted in April 2002 and was prepared by the Benzie Conservation District. The Glen Lake/Crystal River Watershed Management Plan was adopted in January 2003 and was prepared by the Leelanau Conservancy. The Lake Michigan Lakewide Management Plan, which is in draft form, is being developed by the United States Environmental Protection Agency (USEPA). Highlights of the watershed studies are as follows:

The Glen Lake/Crystal River Watershed:

- The overall health of the watershed is good; however, increased development pressures threaten to degrade the function of the land necessary for high water quality.
- Glen Lake has an oligotrophic classification, which means it has very low nitrogen and phosphorus levels limiting aquatic plant growth and preventing it from being overgrown with weeds (eutrophication). This is a desirable classification; however, the lake is susceptible to degradation resulting from increased nutrient concentrations. Human activities associated with fertilizers, septic effluents, and other similar type activities can increase the amount of nitrogen and phosphorus.
- Over 50% of the land in the watershed is forested. Northern hardwoods are the largest land use, providing wildlife habitat, groundwater recharge, and important water quality functions.
- The major human land use in the watershed is residential homes, which comprise nearly 5% of the watershed.
- The watershed receives 50% of its water supply from subsurface groundwater discharge, and it is critical that ground water is replenished. It is important to protect upland areas from impervious surfaces or other development that can inhibit the percolation of precipitation through the soil into ground water.

Platte River Watershed:

- The watershed is currently in good condition.
- 82% of the watershed is forested, open land and/or wetland.

- 12% is agricultural and 7% is urban use.
- Sedimentation is the primary concern and reducing it is essential to protecting the biological diversity and recreational land use of the surface water. The greatest source of sand and sediment is from construction and maintenance of the road system.
- The increase of nitrogen and phosphorus is another concern.

Lake Michigan Lakewide Management Plan:

- Describes this area as part of the Betsie-Platte Watershed
- The lake has an extremely important recreational fishery and high water quality.
- The health of the lake is dependent on the wetlands and land uses.
- Identified impairments or concerns include fertilizers; human and animal wastes; oils, toxic chemicals, and salt; sediment; heated runoff; altered stream; pesticides; bacteria; and channel flow.

FUTURE LAND USES AND ENVIRONMENT

(What do you want Empire Township to be in 20 years?)

Think of what Empire Township was like 20 years ago and the changes that have occurred since then. Is Empire Township a better place? What changes did or could the Township have influenced? How have the changes occurring during this time affected the Township socially, economically, and environmentally?

Is the Township moving in the appropriate direction now? If not, what changes are needed? A Future Land Use Plan shows the desired future for land uses taking into account existing land uses, the natural environment, and prediction on future needs and demands. The Guiding Principles provide the philosophical basis for developing the Empire Township Future Land Use Plan.

If Empire Township's Future Land Use Plan is understood, followed, and implemented in the next twenty years, Empire Township will continue to be a special place in which it will be desirable to live, work, and play in.

INFLUENCING FACTORS

The following factors influence the present landscape and will continue to influence land uses.

Land Allocation Considerations

Residential and tourism uses have increased the pressure on land resources. The amount of land in active agricultural use is relatively small and every effort is being made to sustain and encourage this use. Low-density residential housing continues to consume shoreline, scenic and forested lands in the Township. The expected residential development and tourism-oriented activities would continue to create conflicts with natural resource activities such as agriculture if not appropriately addressed. This is especially important due to the relatively large amount of land that is publicly owned and is not used for residential or agricultural purposes.

Economic Activities

It is also important to encourage uses that are capable of providing employment opportunities for nearby residents. An active, viable economic base provides jobs, taxes and services to complement the residential uses in the Township.

The primary economic activity of the Township is tourism. The unique environment of the Township and the presence of the Sleeping Bear Dunes National Lakeshore provide the ingredients for this use. The residents of the Township recognize this uniqueness and its

compatibility with the rural residential character, which is important when preparing plans for the future.

Resource Base

The dominant natural features of Empire Township are the shorelines of Lake Michigan and the Glen Lakes. The geologic features, especially the Sleeping Bear Dunes, have resulted in a varied topography, creating a desirable scenic and rural nature. The natural resource base of the Township is well documented by several studies and reports, which provide much of the basis for determining the land use areas of Empire Township. These studies and reports include: Land Use Cover 2000; Agricultural Soils; Hydric Soils and Wetlands; Soil Suitable for Septic; Slopes; Soil Suitable as a Source of Gravel; and the General Soil Map Leelanau County. The three watershed studies (The Platte River Watershed Management Plan, The Glen Lake Crystal River Watershed Management Plan, and the Lake Michigan Lakewide Management Plan) also provide valuable information regarding land uses and their impacts.

Mineral Extraction

Mineral extraction may not reach the economic viability of that in adjacent Kasson Township. If Empire Township mineral resources become economical to mine, adequate measures should be implemented to protect the rural and scenic character of the Township as well as the adjacent landowners. All applications for mineral extraction should go through the special use permit process.

Purchase of Development Rights

Background: The traditional method to reduce property taxes paid by farmers and to preserve farmland in Michigan has been through PA 116, the Farmland and Open Space Preservation Act. Farmers enrolled in this program can receive tax credit for maintaining active farmland.

Some places in Michigan have become very concerned about the loss of farmland and have decided to become more aggressive with farmland preservation. The voters in these areas have passed their own tax increases to use the extra funds generated to purchase farmers' development rights within their community. An example of this method is Peninsula Township in Grand Traverse County. The voters recently renewed a millage to fund the purchase of development rights from owners of farmland.

The Purchase of Development Rights (PDR) program is a voluntary one designed to preserve resources such as farmlands or other areas deemed needing protection (such as steep slopes, wetlands, or valuable open space areas). As described earlier, the development rights of a designated area are purchased and retired. The permitted uses on the parcel are the limited. These limitations can include restricting the land to be used for farming, or requiring the land to be in a condition that would allow for agricultural production, or simply prohibiting development on the parcel. These restrictions are by a

deed restriction placed by the purchasing governing body. Just a landowner can sell mineral rights while retaining ownership and use of the land; PDR programs allow landowners to sell their development rights while retaining all other ownership rights. Similar as selling mineral rights restricts the landowner's future activity (i.e., the landowner can not extract the mineral they do not own) selling development rights restricts the ability to develop the land because the landowner has sold that right and been fairly compensated at market rates.

Typically, a purchase price for a development right is the difference between the land's market value (development value), such as \$5,000 an acre, and its assessed current agricultural value, such as \$2,000 an acre. Using the number in this example, the landowner would be able to sell the development rights for \$3,000 an acre (the difference between the market value and agricultural value) and keep the farmland for farming. In theory the farmer would be able to then sell the farmland as agricultural property at the \$2,000 acre price, and would be able to receive \$5,000 an acre. In this example, a landowner would be able to keep the farm, farm on it, retire on it, or sell it.

This program is capable of preserving large amounts of farmland or designated open space areas (such as wetlands, scenic views, steep slopes, etc). A disadvantage of this program is that it costs money and has the potential to raise taxes. Currently, Leelanau County is exploring various options in implementing a PDR program.

Plan: If a PDR program is implemented in the Township through the County, the State, or other governing body, the Township should designate land areas they would like to see purchased. Using the Guiding Principles, parcels in the Agricultural Corridor, Steep Slope Protection Corridor, Scenic Roadway Corridor and Environmentally Sensitive lands should be considered for purchase.

Transfer of Development Rights

Background: A Transfer of Development Rights Program (TDR) is a potential method used to guide development away from threatened resources such as farmlands (or wetlands, scenic views, steep slopes), and towards areas that can accommodate growth. This program is similar to PDRs in that it can provide another revenue source for a landowner besides selling land and development rights together. It can preserve farmlands, open spaces, and sensitive lands; however, it can be difficult to administer. TDR programs are popular protection plans in other States (Maryland, Colorado, etc), but not in Michigan due to the legal ambiguity of being allowed to have such a program.

Plan: To the extent a TDR program is possible under Michigan law, its use will be considered as a means of guiding development away from threatened resources and toward areas that can accommodate growth. It will be revisited as it evolves during the required five-year review of the Master Land Use Plan.

Watershed Management

A watershed is the land area draining to a common body of water such as a river, lake, or wetland. The activities that occur on adjacent land areas affect the quality of water. Watershed areas are invaluable in terms of our residents' health, rural character, tourism based economy, visual quality, and natural resource based operations (e.g. timbering and farming). The quality of life in Empire Township is dependent on the health of our watersheds, and future land uses should not degrade them.

Watershed management utilizes planning techniques such as: protecting sensitive areas (wetlands, steep slopes, and mature forests, etc) from development; establishing a water edge buffer; limiting the disturbance and erosion of soils during construction; treating the quantity and quality of storm water runoff; minimizing the length and size of driveways; clustering home sites; creating open space in developments; and minimizing the amount of impervious areas.

An impervious area is any surface that cannot effectively absorb or infiltrate rainfall, which may include roads, streets, parking lots, rooftops, and sidewalks. Imperviousness is a useful indicator with which to measure the impact of land development. Research commissioned by the Center for Watershed Protection shows that a watershed begins to lose its quality when the amount of impervious area exceeds 10-15%. Impervious surfaces collect and accumulate pollutants deposited from the atmosphere, leaked from vehicles, or derived from other sources. During storms, organic matter, nutrients, metals, hydrocarbons, and bacteria are washed off and enter the watershed to eventually go into Lake Michigan, Glen Lake, the Platte River, and other water bodies increasing the nitrogen and phosphorus load. In addition, septic fields, farming, and lawn manicuring, etc., adds nitrogen and phosphorus nutrients to these water bodies. If the amount of the added nutrients exceeds the amount of existing nutrients by 20%, then the water bodies will suffer from nutrient over-enrichment (eutrophication).

Traditionally, townships have used large-lot zoning to protect sensitive environment areas and preserve the rural character of an area. This type of zoning has not always been successful because longer road networks are needed, with services and infrastructure distributed over a greater amount of land area, creating a need for more roads, pavement, grading, fill, and disruption to natural resources. It is estimated by the Center for Watershed Protection that roads, driveways, and parking lots may comprise 63% to 70% of the total impervious cover in a location. In addition, large lot zoning has contributed to regional sprawl. The number of dwelling units is spread over a wider geographic area, disrupting more land areas and subjecting more sub-watersheds to potential degradation.

Focusing high levels of impervious coverage (25 % or higher) in single locations so that road networks, infrastructure, and public services are concentrated is an effective method to allow for high development and more intense uses, versus having them spread over the landscape. This land use plan describes the desired impervious coverage area for each land use area. Though there may be locations where impervious coverage exceeds 10-

15%, the total impervious coverage within the area of a specific watershed should not exceed 10-15%.

FUTURE LAND USES

All land areas in the Township have more than one function. They provide places for people to live, work, shop, farm, timber, drive, and recreate, etc. Most lands serve more than one of these functions. People may live, farm, and recreate on one land area or may shop and live on a parcel. In addition, all of the land areas serve important ecological functions; they are places where water drains, vegetation grows, and where animals live.

This Future Land Use Plan appreciates the multifunctional nature of these land areas, and describes the future land uses by layers, versus using a single classification; and just as nature does not have defined boundaries of ending and beginning, so, also, these land use layer have flexible boundaries. Typically, land uses serve more than one purpose. Layers complement each other; some overlap, while others are adjacent. This blending of land uses more accurately demonstrates how land areas function today and how they can function in the future.

The key elements identified during the visioning sessions and used as the basis for the Guiding Principles include Rural Character Preservation, Ground/Surface Water Protection, and coordinated growth with surrounding communities. Since Empire Township is considered to be a rural community and residents desire to preserve this character, the Rural Living layer is considered to be the land use base of the Township. All lands within the Township should comply with the requirements of the Rural Living description, and if there are overlaps, then those overlap requirements apply.

Rural Living

Intent

This land use classification is intended to preserve the rural character of Empire Township. A rural community is a sparsely settled place that is at a distance from larger metropolitan areas. The majority of the development in a rural community occurs in designated cluster or at focal points, such as a downtown or a waterfront area. Rural areas have minimal services such as limited fire and police protection, very limited street lighting, and unimproved infrastructure (no water and sewer). These characteristics describe Empire Township and every effort should be made to maintain them.

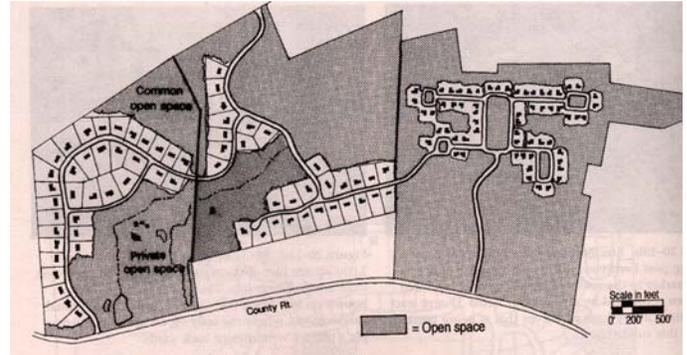
Lands areas solely in this layer should be used for single-family residential uses. Structures should be designed so that their visual and environmental impact to the landscape is minimized. Techniques such as cluster developments (building the majority of the residences on half or less of the development parcel), deep setbacks from road rights-of-way and environmentally sensitive areas, minimal site disturbance, minimal amount of impervious coverage, narrow road width, shared access points, and effective landscaping can help preserve this rural character of Empire Township.

Basis

This layer includes the entire Township. Where there are locations that have overlapping layers, those uses and density supercede the recommended uses and density of this layer.

Recommendations

- The recommended use for lands only within this layer is a standard single family residential.
- The overall density of this area should not exceed one unit for every five (5) acres; the minimum lot size should be determined during the development design process to allow for more flexibility and creativity.
- Developments should share access driveways off of State and County.
- The allocated maximum impervious coverage for parcels in this layer should range from 10 to 15%.



Agricultural Preservation Area

Intent

The intent of this layer is to maintain, promote, and allow existing farming operations to continue and grow by protecting them from encroachment by other incompatible uses. The recommended future land uses should primarily be agricultural operations, rather than residential development.

Parcels that only contain the Agricultural Preservation designation and do not overlap with other land uses are intended to remain for active farming operations and they are intended to be preserved for active farming operations. These are the places where TDR, PDR, and other farmland preservation strategies programs should be implemented. The TDR program should be used as a tool to transfer residential density from these parcels to areas in the Township where growth is desired. The PDR program should be used to purchase development rights from a farm that is at risk from development.

In 2000, the Leelanau Agricultural Alliance commissioned a Farmland Preservation report. Their research concluded that more than 80 percent of farmers and more than 90 percent of other residents said it was important to do something to slow the conversion of farmland to developed land. Both farmers and non-farm county residents agreed that, “preserving farms and the farm economy” and “preserving scenic beauty and rural character” were among the most important reasons to have a farmland preservation program. During the visioning sessions for this Master Plan update, Empire Township residents ranked farmland

preservation as one of the most important elements for future land use. The Township supports the farmland preservation efforts by Leelanau County.

As explained earlier, tourism is very important to Empire Township's economy. The view of the farmlands from the roadside adds to the tourism experience, which impacts the Township's economy. Agricultural related businesses such as bed and breakfasts, riding stable, and farm markets are attractions for tourists as well as being self-sustaining businesses. The Township is working with the Leelanau County Economic Development Corporation to adopt practices that would encourage new farms and agribusinesses in Empire Township.

Basis

This layer includes active farms and lands uniquely suited to agricultural practices. The visioning process, input from property owners, and ownership records identified parcels in this layer as actively farmed areas. The parcels in the agricultural preservation area are where active farming is currently occurring and where it is likely to continue to occur. The State farmland preservation efforts have historically given a lot of weight to preserving prime and unique agricultural sites. This agricultural area contains almost all of the types of prime and unique soils for agricultural production.

Recommendations

- Promote the application of agricultural techniques that will preserve the economic viability of farms.
- The primary uses of lands in this layer should focus on agricultural activities including crops, horticulture, fruit growing, forestry, ranching, beekeeping, poultry and egg production, animal breeding, stabling, kenneling, milk production and similar uses, and the associated storage relating to these uses and activities permitted by the Michigan Right to Farm Act.
- In order to encourage and maintain a balanced and diversified economy, agricultural related enterprises should also be permitted. These uses include farm markets, U-Pick operations, nurseries, bed and breakfasts, wineries, farm stands corn maze,, and associated uses.
- Farming practices should incorporate watershed protection management techniques.
- Although single family developments are not encouraged in this layer, if they are permitted, they should be clustered with no less than 50% of the land areas remaining as open space or for farming operations.
- Single-family residential uses should be located at a safe distance and buffered from normal farming operations in Empire Township that generate spray materials, noise, and odor.
- The overall density for this classification should be one (1) unit per ten (10) acres, however lots that are devoted solely to non-agricultural residential uses should not exceed three (3) acres.

- The recommended maximum impervious coverage for land uses should be 10 to 15%.

Forestry Corridor

Intent

The Forestry Corridor is a natural resource-based allowing activities such as timbering and lumbering. The recommended uses are forestry operation, not high-density residential development.

Basis

This classification includes active forestry operations and lands uniquely suited for forestry practices.

Recommendations

- The primary use of lands in this layer should be forestry activities including the raising, managing and harvesting of trees and similar uses, and the associated storage relating to these uses.
- Although single-family developments may be permitted in this layer, but are not encouraged. If they are permitted, they should be clustered with no less than 50% of the land areas remaining as open space.
- The overall density for this classification should be one (1) unit per ten (10) acres, however lots that are devoted solely to non-forestry residential uses should not exceed three (3) acres.
- The recommended maximum impervious coverage for land uses should be 10 to 15%.

Steep Slope Protection Corridor

Intent

This layer focuses on maintaining the dramatic view of the hillsides that are ~~is~~ seen when driving in the Township. The intent of this layer is to preserve these views, while allowing for visually sensitive single-family residential development. Township. PDR's and TDR's could be a tool used in this area to reduce the number of units in this layer.

Basis

The boundaries of this layer were established by using the topographic maps from Leelanau County. This area has an elevation of 1,201 to 1,300 feet.

Recommendations

- The permitted use in this layer should only be standard single-family residential.
- There should be no signage on lands within this designation. Wind and communication towers should not be in this location.
- Due to the sensitivity of the slopes, the overall density should not exceed one unit for every two acres. The clustering of residential units should be permitted when it will minimize the impact of development. Although this clustering will allow for smaller lot sizes, it should not increase density.
- Building should be sensitively located so as to not be obtrusive. This can be done by limiting the height of structures, regulating the location of driveways and access roads, minimizing the amount of tree loss, restricting the amount of site grading, and having muted colors for structures.
- The recommended maximum impervious coverage is between 10-15%.

Recreation Corridor

Intent

Empire Township's economy is based on recreational tourism. People visit Empire for the outdoor recreation opportunities that include hiking, sightseeing, golfing, biking, snowmobiling, skiing, and other similar activities. It is important to allow and encourage these and similar uses to ensure economic viability. These uses should not occur at the expense of Township residents, however adequate buffering and spacing between these uses and residential uses are highly recommended.

Basis

Empire Township is known for its recreation amenities, including but not limited to the Sleeping Bear Dunes National Lakeshore, the Pere Marquette State Forest, the Shore to Shore trail, the golf courses, and other outdoor recreational uses. These uses are a mix of public and privately owned operations. Recently a model airplane flight yard was permitted in the Township, expanding the recreational opportunities. Future recreational uses in the Township could include a paintball operation, archery, an equestrian center, a Frisbee golf course, if planned with environmental sensitivity. Interconnected recreation systems are desirable.

Recommendations

- On publicly owned lands, the permitted uses should be parks, trails, and natural preserves.
- On privately owned lands the permitted uses should include parks, trails and natural preserves. Uses that are more intense such as golf courses, miniature golf courses, equestrian center, and model airplane flight yards and other outdoor recreational uses that are similar in nature in terms of noise, traffic generation, and intensity of use should be scrutinized through a special review process to

insure their placement will not negatively affect surrounding neighboring lands and the watershed.

- Motor cross racing, shooting ranges and other uses similar in nature in terms of noise, traffic generation, and intensity of use are considered high impact recreation, therefore are not appropriate for this area.
- Recreational facilities and operations should be located in areas where their impacts, such as noise, traffic, etc, will have minimal effect on adjacent properties. In some instances, vegetative buffer areas of 50 feet or more may be needed.
- Residential developments should be clustered with no less than 25% of the land area remaining as open space and the development should incorporate an active recreation component such as golfing. The overall density for residential development should not exceed one unit for every two acres.
- The recommended maximum impervious coverage is between 10-15%.

Single Family Residential

Intent

The intent of this layer is to provide an area for livable and desirable neighborhoods for current and future residents.

Basis

This layer consists of lands that have or are near well-established residential use patterns.

Recommendations

- The primary use should be standard single-family residential uses.
 - Land uses that complement residential uses, which include public and private schools, nursery schools, accessory apartments, day care centers, churches, and state licensed residential facilities may be appropriate with special provisions and review procedures to insure compatibility.
 - Uses such as home businesses, community services, public recreational facilities should be allowed with special provisions and review procedures to ensure the development is appropriate and compatible with the residential character of the area.
 - Single-family developments should be connected with trails and internal roads.
 - A mixture of architectural styles to prevent homogenous-appearing housing developments should be encouraged.
 - All developments should have a park, open space, or other type of communal area.
 - Residential density should not exceed one dwelling unit per thirty thousand (30,000) square feet, excluding vehicular rights of way. To meet the demands of affordable housing, multifamily dwelling units not exceeding four units per building may be allowed with special provisions and review.
 - Impervious buildable area should not exceed 25%. In certain circumstances, setbacks may be altered existing legal non-conforming lots.

Shoreline Corridor

Intent

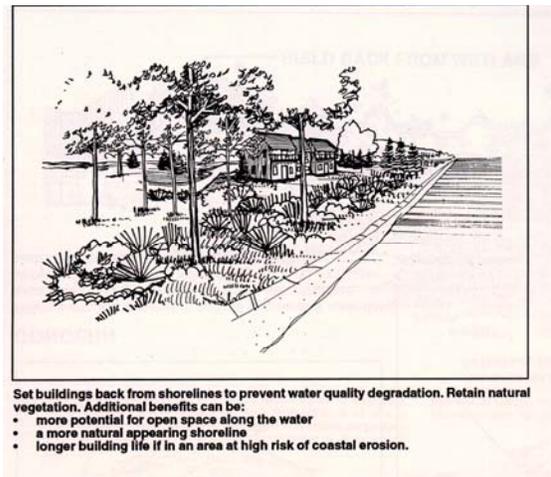
The intent of this layer is to maintain the quality of Glen Lake and Lake Michigan and their associated watersheds, while allowing for sensitively placed single-family uses. Although much of this area has been developed and there are relatively few vacant lots, it is anticipated that this area will face redevelopment pressures. Many of the existing homes are older and were originally intended to be summer homes and not occupied year round. These homes are being renovated and usually expanded for year round occupancy or they are being torn down to allow for new construction. The building designs recommendations in this layer are intended for enlarged renovated homes and new construction.

Basis

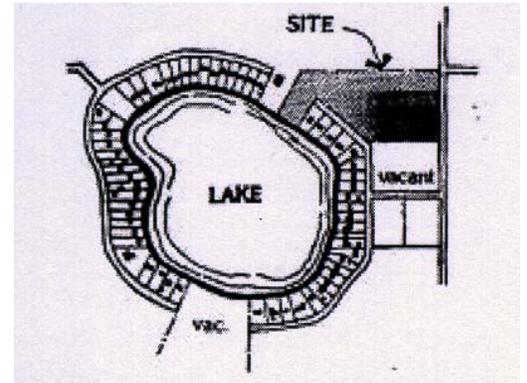
This layer consists of lands that are on the Glen Lake and Lake Michigan shoreline; therefore they have a greater impact on the water quality of the lakes.

Recommendations

- The recommended uses for lands within this layer include open space/nature preserve and standard single-family residential.
- The recommended density for lands within this layer should be determined by the overlapping layer (either Single Family Residential or Recreation Corridor).
- There should be sufficient setback distances from the high water mark and all built structures (including, but not limited to a dwelling unit, road, driveway, and septic system).
- Structures, including driveways, should be built or engineered so that they drain away from water bodies.
- Structures should be sensitively sited so that they minimize the obstruction of the lake from the road. This can be done regulating building width, requiring wide setbacks between structures, and minimizing fencing.
- Land areas adjacent to water bodies should remain in their natural condition. Manicuring with environmental friendly material may be allowed.
- Impervious buildable area should not exceed 10-15% for newly created lots. Existing lots of record may have an impervious area up to 50% under special circumstances.



- *Keyholing*, which is also known as funnel development, is the use of a waterfront lot as common open space for waterfront access for a large number of users. Users of a keyholing lot reside on interior lots and are able to access the lake by a dedicated easement. In many instances the keyholing site has a boat launch which increases traffic on the lake, this increase in boat traffic negatively impacts the water quality (due to spillage from boats, the mooring of boats, and loss of natural vegetation and wildlife due to increased human activity).



Example of a keyhole lot.

- As explained earlier in this Master Plan, water quality is important to Empire Township in terms of economics and tourism, natural environment, and quality of life. The keyholing also impacts the existing neighboring single-family homes; they have to contend with excess noise and traffic that is not compatible with their established neighborhoods and quality of life. Therefore the keyholing usage should only be permitted where it currently exists and not expanded. There are three to four existing keyholing locations, it is expected that this use will continue in those locations, however it is not the intent of this Master Plan or the Township to allow for additional keyholing sites.

Gateway Mix Use:

Intent

This land use layer is for a primary, heavily used entrance into Empire Township; therefore its appearance affects a person's opinion of the area. Empire Township is a rural community and wishes to retain this characteristic by maintaining the scenic views from the road, especially at the entrance into the community. When a person enters the Township, the view they see is pleasant. The view is of a forested landscaped, with some intermixed buildings. It can be argued if these existing buildings are obtrusive to the view or not, but they do exist now. The only such area at present where the land is not substantially under public control is M-72 at the eastern side of the Township.

The recommended uses for the Gateway include open space, trails, parks, and single family residential. This master plan recognizes that the majority of the parcels in this location have been zoned commercial since 1962, and, therefore they do have some development potential. Limited types of commercial uses may be permitted in this location with approval of special use permit. The commercial uses should not be heavy traffic generators, not be retail oriented, and meet specified development standards including, but not limited to: have deep setbacks, shared access driveways, intense landscaping, small parking lot size, heavily landscaped parking lot, buildings should be clustered together, and screened outdoor storage. Expected commercial uses include a boat yard, a contractor's yard, or a farm equipment repair.

In addition, any proposed commercial land use should be supported by an impact analysis, which explains why existing regional commercial or industrial zoning elsewhere is not appropriate and available for the proposed use. The analysis should also include any impact on transportation patterns and requirements as well as police, fire, health and other public provided services.

It is the overall philosophy of the Township that the need for destination shopping (such as for groceries, clothing, and personal necessities, etc) is presently being met by the Village of Empire and regional centers, such as Glen Arbor, Maple City, Cedar, and Traverse City. It is anticipated that new demands for such services will and should be met by shopping areas in these locations. It is not the intent of this Master Plan to have another shopping destination.

Outdoor storage should not be permitted, unless approved through the special use permit process. The storage area should not be visible from a road right of way or residential property. The storage area should be screened with the appropriate amount of natural vegetative landscaping to minimize the visual impact from M-72. Accessory dwellings should be permitted with the commercial structures.

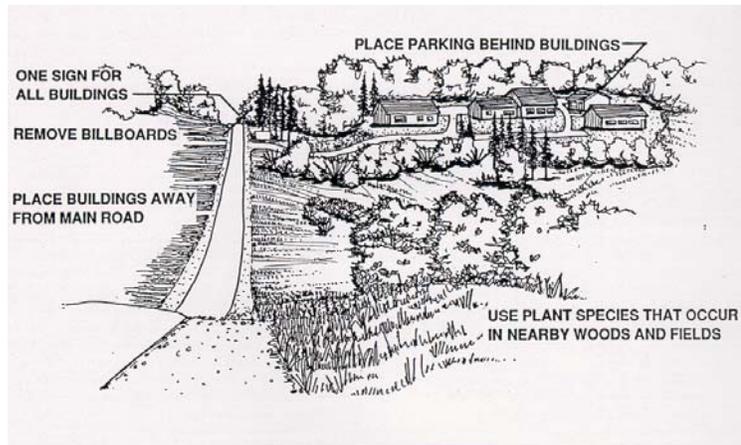
Development in the Gateway should occur in concentrated clusters, and not in a strip development format. The concentrated clusters are graphically approximated on the future land use map.

Basis:

This area includes the parcels that are located along M-72.

Recommendations:

- The primary uses for this layer include open space, parks, trails, and single family residential. Limited commercial uses should only be allowed if approved by a special use permit.
- The overall density should be one unit for every five (5) acres. In some instances it may be possible to transfer density between neighboring properties.
- Commercial operations should be clustered, have common parking, shared driveway entrance, and internal connections.
- Buildings should be setback at a distance from the road right of



- way. The set back areas should be heavily landscaped.
- Driveway entrances from M-72 should have a minimum separation of 800 lineal feet.
 - Strip development (more than two (2) businesses on a parcel that face M-72) should not be permitted. Commercial development should be designed so that the buildings are oriented towards each other, in these instances buildings should be in close proximity to each other.
 - Impervious coverage should not exceed 25%.

Scenic Roadside

Intent

The land areas along the roadways within the Township are among the most valuable open space areas. The majority of these areas are undeveloped, highly vegetated, and provide spectacular views of the landscape. The views from the roadway reinforce Empire Township's rural characteristics. What visitors and residents see here is how they perceive Empire and special attention to building placement is needed to protect these corridors. Positive public perception is critical for Empire's economic growth. The intent of this design-based layer is to preserve these roadside views by promoting sensible building designs and placement. The Scenic Roadway layer focuses on design and building placement. The design elements take precedence over the other layers if there is a conflict.

Basis

This overlay covers more or less areas within 50 to 100 feet of the road right-of-way edge.

Recommendations:

- Use existing trees to minimize visual impact. Have tree buffers between the road and any developments. Adopt a tree replacement ordinance.
- Place buildings within treed areas or on the edges of forests.
- Minimize the visual impacts of communication and windmill towers.
- Minimize driveway cuts; driveways should have a minimum separation of 800 feet, unless otherwise stated.

Environmentally Sensitive

Intent

The welfare and well being of the citizens of Empire Township are directly linked and related to the natural environment of the area. To maintain environmentally sensitive areas such as the sand dunes, streams, and wetlands in their natural condition, it is necessary to

protect these areas from degradation. The intent is to recognize and adhere to existing federal and state regulations and standards that will protect those areas.

Basis

Although land uses need to be sensitive to environment throughout the Township, specific locations, including, but not limited to the sand dunes, streams, wetlands, and lake areas adjacent to Glen Lake or Lake Michigan are especially important in maintaining and improving their environmental quality.

Recommended Density/Building Designs:

- Impervious cover should not exceed 5%.
- There should be a building setback of 50 to 500 feet from these sensitive lands.
- There should be dedicated natural vegetative-buffered areas between these designated areas and developments.
- Critical dunes, which were the focus of the Sand Dunes Protection and Management Act (1976, PA 222 as amended, by PA 146 and PA 147 of 1989) are recognized to be the most sensitive dune features of Michigan's sand dune system. Steep slopes, highly erosive soils and high winds all combine to create special risks associated with development in critical dunes. Improper siting and construction techniques in these areas will threaten dune stability, which may result in damage to structures, surrounding properties and the dune itself. The dunes are an irreplaceable resource and development and recreational pressure will place their future in jeopardy. Empire Township incorporates by reference the standards outlined in PA 147 to ensure that future development will be compatible with the special limitations of each critical dune site.

Planned Development Area

Intent

This designation is to promote developments that can provide job opportunities in the Township. Recommended uses for this layer include office parks, animal care services, lodges, warehousing, and light industrial uses. When possible, residential uses should be intermixed with the commercial developments. Developments should be processed through the planned unit development to insure that there is internal road connection, adequate vegetative buffers, and appropriate site design to mitigate any potential negative impacts to the visual character of the Township.

Basis

These locations have either been developed or are adjacent to parcels that have commercial uses.

Recommendations

- Commercial and industrial operations should be clustered, have common parking, shared driveway entrance, and internal connections.
- Parking areas should be heavily landscaped. Driveways should be connected and shared to minimize the number of driveway cuts on to public road.
- Impervious cover should not exceed 25%.
- The trees on the parcel are at a sufficient height to provide a significant visual buffer around the perimeter of the site.

Planned Residential Area

Intent

One of the critical factors for a community to sustain itself is a consistent population base. This can only occur if there is a sufficient amount housing that meets the different financial, physical, and social needs of residents. Understanding this concept, the Planning and Zoning Board has designated this area for higher density developments such as townhouses, multi-family developments, high-density site-condominiums, and mobile home (manufactured housing) communities. These developments should be processed as a Planned Unit Development to insure that there is sufficient landscaping, visual buffering, internal connections, and appropriate site design to mitigate any potential negative impacts to near by land uses and/or to the visual character of the Township.

Basis

Parcels in this designation are in close proximity to the Village of Empire, have access to M-72 and to recreational trails, and could be screened with existing vegetation.

Recommendations

- Developments should have trails that connect to the existing trail system and to each other.
- Parking areas should be heavily landscaped. Driveways should be connected and shared to minimize the number of driveway cuts on to M-72 and other public roads.
- Impervious cover should not exceed 25%.
- The trees on the parcel are at a sufficient height to provide a significant visual buffer around the perimeter of the site.

Special Land Uses

Special land uses have a greater impact on adjacent properties and on the community as a whole. Some special land uses need to be restricted as to location because they have characteristics that are not always compatible with other uses permitted in the district. Still others need to be restricted in size because they may be too large and out of

character with the community. In either case, stricter site development standards are needed to minimize the potentially adverse effects of special land uses.

It is the intent of the Township to insure a high standard of land use compatibility by imposing strict site development and locational standards on uses such as: sexually oriented businesses; telecommunications towers; wind energy conversion systems (WECS); mining operations; solid waste transfer stations; gravel pits; landfills; sewage disposal systems; structures that exceed 5,000 square feet of floor area and other similar uses. Specifically, it is the intent of the Township to:

- Limit these uses to locations that are not in close proximity to homes, churches, schools or other places where children live, play, worship, or go to school.
- Allow telecommunications antennas in the Township, but strictly limit towers as to type, size, design, and location so they will have the least visual impact on the community and not interfere with aviation.
- Limit WECS in size, design, intensity, and location so they will have the least visual impact on the community and not interfere with aviation.
- Discourage new sand and gravel operations in the Township except as required to prepare a site for development.
- Regulate outdoor storage to minimize their visual impact.