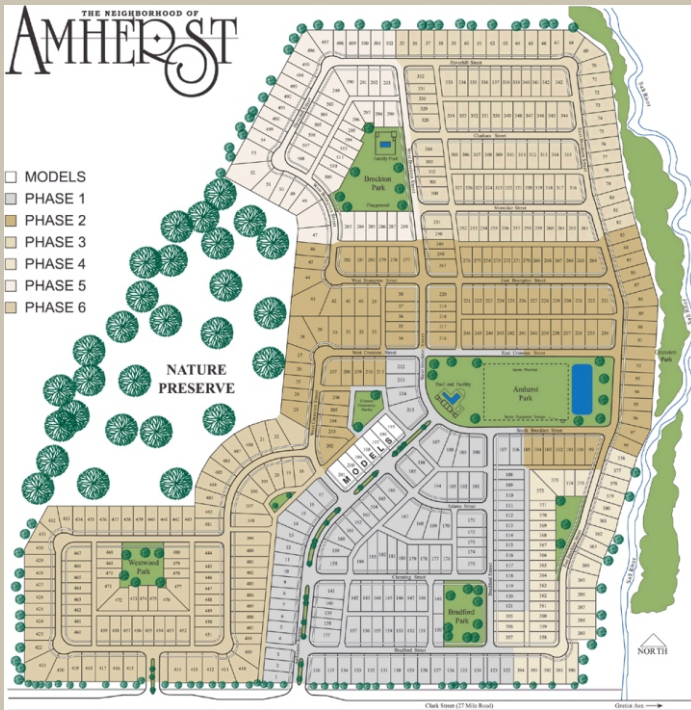


# APPLICATION



- The community body undertaking the plan review has the responsibility of determining if the natural features setback and its requirements are applicable to the property development located in or adjacent to a natural feature. The service of a wetland consultant may be utilized in making such determinations.
- The setback from the natural feature should be measured from the edge of the wetland or from the ordinary high water mark of a watercourse, depending on the circumstance.
- Within the natural feature setback there should be no construction, removal or deposit of any structures or soils, including dredging, filling or land balancing unless determined to be in the *public interest*. In addition, no vegetation cutting or removal within the natural feature setback should occur before all site plan approvals have been obtained.
- In determining whether proposed construction or operations are in the public interest, the benefit of the development shall be balanced against the foreseeable detriments. The ordinance sets forth general criteria to be used in undertaking this balancing test. If there remains a debatable question, authorization of the development within the natural feature setback should not be granted.
- The activities permitted within a natural feature setback should be carefully considered by each community adopting a setback ordinance. This is the part of the ordinance where the community's goals for an ordinance are most clearly conveyed. The permitted activities described here can become more or less restrictive based on what the community is trying to achieve.
- The ordinance exempts certain activities from regulation. For example, installation of a fence within a setback, maintenance of previously established lawn areas, seasonal recreation structures for watercourse uses, and the planting of non-invasive trees and vegetation, but not the use of fertilizer.



For additional information visit [www.macombcountymi.gov/planning/model\\_ordinances.htm](http://www.macombcountymi.gov/planning/model_ordinances.htm)

