

**WHITEWATER TOWNSHIP PLANNING COMMISSION AGENDA FOR REGULAR MEETING,**

**November 1st, 2023 7:00 p.m.**

Whitewater Township Hall Via ZOOM (if available) and in-person

5777 Vinton Road, Williamsburg, MI 49690

Phone 231-267-5141/Fax 231-267-9020

**ZOOM:** <https://us06web.zoom.us/j/87896287510?pwd=DbwslUtlVYxR4j6iJea5n0L7peisyi.1>

Meeting ID: 878 9628 7510

Passcode: 789006

1. Mic Check, Call to Order, Pledge Allegiance
2. Roll Call of PC Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest pertinent to agenda items
5. Public Comment – Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the following rules and procedures:
  - a. Comments shall be directed to the PC, with questions directed to the Chair.
  - b. Any person wishing to address the PC shall speak from the lectern (or use the raise hand feature if Zoom is being utilized) and state his/her name and address.
  - c. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
  - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC member's questions.
  - e. Public comment shall be limited to 3 minutes per person.
6. Public Hearing: None
7. Approval of Minutes of Previous Meeting/s: Regular PC Meeting October 4<sup>th</sup>, 2023
8. Correspondence - None
9. Reports/Presentations/Announcements/Comments – Read and Review together (15 minutes)
  - a. Zoning Administrator – Hall
  - b. Chair – Steelman (enclosed)
  - c. Township Board Representative – Vollmuth (enclosed)
  - d. ZBA Representative – Wroubel
10. Unfinished Business
  - a. Master Plan (MP) – ROS may participate (45 minutes total)
    - i. Review and discuss MP Open House Results (15 minutes)
    - ii. Workshop Planning and Discussion (30 minutes)
    - iii. Anything else related to MP and upcoming Workshop
  - b. Zoning Project Update (60 minutes total)
    - i. Define Substantial Change (30 minutes)

- ii. Review proposed ZO restructure and determine which should be updated now and which should wait for MP completion (30 minutes)
  - c. Joint TB and PC Meeting Planning & Discussion (15 minutes)
    - i. New meeting date determined
    - ii. Agenda items; MPO, Master Plan, Zoning Project including how the PC plans to address the issue of substantial and non-substantial changes.
- 11. New Business
  - a. Elk Rapids Schools Superintendent, Bryan McKenna – Sustaining and Maintaining ER Schools (30 Minutes)
- 12. Next Meeting/s: Master Plan Workshop at Mill Creek November 7<sup>th</sup>, 2023 at 7pm – 9pm. Joint TB/PC meeting TBD. Regular PC Meeting December 6<sup>th</sup>, 2023 at 7pm
- 13. Public Comment
- 14. PC Discussion/Comments
  - a. Key Notes to Share with TB (3 minutes)
  - b. Action Items for PC Members reviewed (3 minutes)
- 15. Continuing Education - none
- 16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend Contact the township supervisor at 231-267-5141

**DRAFT**  
WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING  
October 4, 2023

Call to Order at 7:00 p.m.

Roll Call: DeYoung, Keaton, Slopsema, Vollmuth, Wroubel

Absent: Jacobson, Steelman

Also in attendance: Planner Mielnik, Recording Secretary MacLean, Rob Carson of Networks Northwest

Four on Zoom at the beginning of the meeting

Set / Adjust Agenda: Networks Northwest presentation after Public Comment

Declaration of Conflict of Interest: None

Public Comment: None

Networks Northwest presentation on Traverse Transportation Coordinating Initiative (TTCI), Metropolitan Planning Organization (MPO). Previously we had TC-TALUS changed name to TTCI.

*Rob will send the power point presentation to Rachel and/or Randy for sharing including the Unified Work Plan, the presentation in PDF, sample resolution, Intergovernmental Agreement, bylaws. Currently under \$4000 to join.*

Public Hearing: None

Approval of Minutes:

**MOTION** by DeYoung second by Vollmuth to approve the Planning Commission Regular Meeting Minutes of September 6, Special Meeting minutes of September 20 as amended and Resident Outreach Subcommittee Meeting Minutes of September 15.

Roll call vote: Vollmuth–yes; Jacobson-N/A; Wroubel-yes; Steelman-N/A; DeYoung-yes; Slopsema-yes, Keaton-yes.  
Motion carried.

Correspondence: Vern Gutknecht to Rachel, encouraged by the PC work and commented on the name and description of the RC1 district in the zoning ordinance.

Reports:

*Zoning Administrator Report, Hall:* Report in board packet. Message from Bob: ZBA decision referencing Baggs Road has been appealed to the circuit court. The proposed site condo project will not move forward at this time, pending the court review outcome.

Great work on the MP progress.

*Chair's Report, Steelman:* None.

*Township Board Rep, Vollmuth:* Did anyone read the board packet last month? No one did. The October Township Board packet is large. Encouraging everyone to read it. Vollmuth does not believe she can pull out what each person may need. Wants everyone to have a full picture of what is moving forward or not at the board level.

Wroubel attends 2-3 hours of Board meetings.

Vollmuth wants everyone to read the packets. Keaton would like a summary provided.

*ZBA Representative, Wroubel:* No cases in September. The August ZBA decision is being appealed.

*Committee Reports:* None

*Additional items:* None

Unfinished Business:

1. Master Plan / Resident Outreach Subcommittee (ROS) October 12<sup>th</sup> at 9 a.m. DeYoung read an email from Barry Hicks: Open house went well, 76 people signed in but more attended. Will be reviewing October 10 with Mielnik and October 12 with the ROS in preparation for the November 7 workshop.
  1. Open House discussion Mielnik noted there were likely more like 100 in attendance. Hicks will be preparing a summary of the open house. Wroubel noted interesting conversations with people. So many people think that if it is NOT mentioned in the ordinance then it is legal. The Whitewater Township ordinance is written as permissive – only that which is written in is allowed. Variances can be allowed.  
We don't have any enforcement.

Specifically relating to short term rentals:

Slopsema noted that other communities have it written in their ordinance to prohibit or allow with limitations.

Wroubel notes that the state is writing legislation and maybe that is why the township has chosen not to address it.

Other communities have some excellent ordinances addressing it.

Short term rentals is part of the zoning not part of the Master Plan.

Major litigation happening now at the state level.

Is renting houses allowed in the township? Daily? Weekly? Monthly? Annually? Short term or long term.

Amending the ordinance is the only way to allow it in any way.

2. Next Steps: ROS is October 12, work shop is November 7, 7-9 p.m. at Mill Creek Elementary.

3. Review updated Draft chapters 1-4 some minor changes have been made, posted and they were available at the open house.

Slopsema: Page 28, Williamsburg / Whitewater Township – address the Williamsburg / Whitewater descriptor.

Randy will look at it and correct the verbiage.

Slopsema: page 43 any more current data, 2021 is the most recent estimates.

Additional comments can be presented to the PC if they missed the opportunity to participate at the open house.

2. Zoning Project Update: Trying to include notes / notations as part of the draft zoning ordinance.

Possibly zoning ordinance subcommittee. Decision: Not at this time.

Stay focused. Content neutral. Issues need to be addressed at some point. “Major issues” not at this time.

Addressing major issues is not part of this reorganization process.

Everyone read through it all, including the notations included.

The major issue points will need to be addressed after the reorganization.

For instance there are questions regarding Farm Market, Farmers Market and road side stands.

The chart shows how the articles can be combined.

Table of contents will be included.

What do you need from the PC next? Go through the notations and decide which ones are minor enough to change which ones need to be addressed later.

Running list of known issues that will need to be addressed, some are small, some are substantial.

Randy notes the example of clarifying the height requirement, add “whichever is less”.

Randy’s notations need to be read through. Determine if it is a major issue or a minor issue. Only address the minor issues and note the major issues that need to be addressed. Once the reorganized ordinance is approved the PC can prioritize what needs to be addressed more fully.

Look to get some feedback from the Zoning Administrator on what he sees as needing more immediate attention.

The “Public comment” / Public Hearing would be at the end of the whole reorganization before submission to the board for their approval. (commissioners were using the term public comment and public hearing interchangeably when referencing public hearing)

The zoning ordinance can be a topic for the joint meeting.

Randy shared the Zoning Graphics of R-1, R-2 multi and single, R-3 multi and single, A-1, C-21 for the visual.

3. Joint Township Board (TB) / Planning Commission (PC) meeting is scheduled for November 9. Add the zoning ordinance discussion. Avoiding substantial changes, remaining content neutral.

#### New Business:

1. Networks Northwest – Rob Carson to present on Metropolitan Planning Organization information. Presentation completed before the approval of minutes.

Next meetings:

Regular PC – November 1, 2023, Agenda: DRAFT ordinance 1-4 and come back with comments on Randy’s notations.

Master Plan Workshop November 7, 7-9 p.m., at Mill Creek Elementary

Joint TB/PC Special Meeting, November 9, 7 p.m.



Public Comment: None

Commission Discussion/Comments: Wroubel: Let Randy do his work and make the substantial changes later.  
DeYoung: We cannot bog ourselves down during these meetings.

Continuing Education: Networks Northwest Metropolitan Planning Organization Presentation.

Adjournment: 9:54 p.m.

Tabled items: Article 5 Districts; Article 25, Special Use Permits: Campgrounds

Respectfully Submitted  
Lois MacLean,  
Recording Secretary

To: Planning Commission  
From: Rachel Steelman  
Date: 10/23/2023  
Re: Chair Report

Good evening, team! Wish I could be there with you however, I know you will have a productive meeting without me. Below are updates and my input for tonight's agenda:

1. Agenda - I request our guest, Mr. McKenna (New Business item 11.a) be moved before unfinished business begins to be cognizant of his time.
2. Agenda - I have added suggested time limits to each agenda item as you have a full schedule tonight and it will be important to stay on track.
3. Guest - You have a guest, Bryan McKenna the Superintendent at Elk Rapids School District. He is going to share some inevitable changes occurring in the district that directly impact Mill Creek Elementary. As we are working on our Master Plan, the timing is of utmost importance. Because I am unable to attend tonight, I rely on all of you to listen to the challenges the district faces and work together with the School District, Mr. McKenna, and our residents to develop a Master Plan that is helpful to all. This may mean additional public outreach, input, and planning associated with these unique circumstances. Consider how this topic can be added to the material at the 11/7 workshop and / or follow-up events. I look forward to hearing your ideas and thoughts surrounding this.
4. MP Workshop - I have sent the 11/07 Workshop Flyer to Mill Creek for inclusion in their weekly email school newsletter.
5. MP Open House – I'd like to send those who attended the Open House a thank you, link to results, and invitation to the workshop. If you are in agreement, please send me the sign in sheets so I may do so.
6. Zoning Ordinance Project - After our October meeting, it was clear we needed to define "Substantial Change" as a group. Please refer to my attachments regarding Substantial Change for discussion. It will be imperative a decision is made on this tonight and subsequently shared with the TB at our joint meeting.

7. Joint Meeting Discussion – Supervisor Popp sent me an email on 10/23 indicating the TB will not have a quorum on 11/09. I’ve asked him to share 2-3 dates the majority of the TB is available between 11/09 and 12/07. I will share the options with you as soon as I receive them. Please decide on a new meeting date and let me know.
  1. In order to ensure we are prepared for this meeting, you should review the agenda items for this meeting and determine how, who, and what will take place at our joint meeting. Agenda Items; MPO (group discussion and consideration, and possible forward movement), Master Plan progress and next steps, and Zoning Project updates including sharing how we are proceeding with “substantial change”.
8. Budget FYI - The PC’s Budget amendment request of an additional \$25,000 passed at the TB’s October 10th, meeting. Materials related to this are at the end of the packet.
9. Agenda - I’ve added an item to the end of the agenda “Key Notes to Share with TB”. I think we will improve communication if we take 3 minutes at the end of each meeting to list the items we want to be shared with the TB. Please begin this tonight.

Thank you!

# Heidi Trustee Report:

**Heidi Vollmuth** <heidivyourtrustee@gmail.com>

**To:** Rachel Steelman, Randy Mielnik

Mon, Oct 23 at 6:44 PM

Team,

I will keep this brief and simple,  
keep working hard and focus on the Master Plan and workshops.

I believe we pushed a little much last month, let us continue on but at a pace we all can handle and still move small tasks forwards.

Bob has stated until the challenging issues are solved with Baggs Rd the Planning Commission will not see it this month. I do not see that changing, but one never knows.

I will be traveling for Business and combining a vacation however will be zooming when technology allows. Good Luck in the next workshop, have an awesome hunting trip and blessed Thanksgiving.

Heidi Vollmuth

# Master Plan Open House Results

# Demographics

## Population: 2,688 (2020 Census)

### AGE

	Whitewater Twp.	Grand Traverse County	Michigan
Persons under 18 years	21.4%	19.9%	21.4%
Persons 65 years old and older	24.6%	21.3%	18.1%
Median Age (years)	51.4	43.4	40.2

The median age of a Whitewater Township Resident is about 8 years older than that of a Grand Traverse County resident, and more than 11 years older than that of a State of Michigan resident.

Source: ACS 1-Year Estimates Data Profiles, 2021 and ACS 5-Year Estimates Subject Tables

## 24.6%

Almost one in four residents of Whitewater Township is 65 years old or older.



### INCOME (2021 Est.)

	Whitewater Twp.	Grand Traverse County	Michigan
All Households (mean income)	\$91,842	\$84,905	\$86,093
All Households (median income)	\$75,685	\$65,651	\$63,498

Whitewater Township residents generally have higher household incomes than the County and State as a whole.

Source: ACS 5-Year Estimates Subject Tables and ACS 1-Year Estimates Subject Tables and ACS 5-Year Estimates Subject Tables

## \$75,685

Household incomes are generally higher in Whitewater Township.

\*Mean refers to the average of a set of values.

\*Median refers to middle number in a sorted list of numbers

### Educational Attainment

	Whitewater Twp.	Grand Traverse Co.	Michigan
Population 25 years and older with a Bachelor's Degree	25.4%	21.8%	19.2%

Source: ACS 1-Year Estimates Subject Tables and ACS 5-Year Estimates Subject Tables

## 25.4%

About 1 in 4 adults in Whitewater Township have a Bachelor Degree.

### Other Labor Force Characteristics

	Whitewater Twp.	Grand Traverse Co.	Michigan
Population 16 years and over in Labor Force	57.2%	62.0%	60.9%
Workers 16 years and over - Mean travel time to work (minutes)	26.7	21.3	23.8

Source: ACS 1-Year Estimates Subject Tables and ACS 5-Year Estimates Data Profiles

## 26.7

Minutes to get to work  
Workers in Whitewater Township generally travel further for employment.

### HOUSEHOLDS

	Whitewater Twp.	Grand Traverse County	Michigan
Average Household Size	2.56	2.34	2.43
Owner-Occupied Housing Units	90.7%	76.3%	73.2%

Residents of Whitewater Township live in somewhat larger households.

Source: ACS 1-Year Estimates Data Profiles, 2021 and ACS 5-Year Estimates Subject Tables

## 90.7%

More than 9 out of 10 homes in Whitewater Township are owner-occupied.



### YEAR HOMES WERE BUILT (PERCENT OF OCCUPIED UNITS)

	Whitewater Township	Grand Traverse County	Michigan
2020 or later	.6%	.6%	.4%
2010 to 2019	3.5%	11.3%	5.2%
2000 to 2009	15.0%	19.8%	10.4%
1980 to 1999	44.2%	31.1%	22.1%
1960 to 1979	25.2%	21.4%	27.1%
1940 to 1959	4.0%	7.6%	21.1%
1939 or earlier	7.6%	8.2%	13.7%

More than 4 out of 10 occupied housing units that exist today in Whitewater Township were built between 1980 and 1999. This suggests that during this time, a local building boom occurred.

Source: ACS 1-Year Estimates Data Profiles, 2021 and ACS 1-Year Estimates Subject Tables

### Labor Force By Industry

	Whitewater Twp.	Grand Traverse Co.	Michigan
Civilian employed population 16 years and over			
Agriculture, forestry, fishing and hunting, and mining	2.8%	1.5%	1.1%
Construction	13.8%	8.2%	5.6%
Manufacturing	10.3%	10.3%	18.7%
Wholesale trade	3.2%	2.0%	2.3%
Retail trade	14.3%	13.7%	10.8%
Transportation and warehousing, and utilities	3.4%	3.0%	4.6%
Information	0.9%	1.2%	1.3%
Finance and insurance, and real estate and rental and leasing	5.7%	6.8%	5.7%
Professional, scientific, and management, and administrative and waste management services	9.8%	9.9%	9.8%
Educational services, and health care and social assistance	21.1%	24.7%	23.3%
Arts, entertainment, and recreation, and accommodation and food services	7.4%	11.7%	9.0%
Other services, except public administration	5.3%	3.8%	4.5%
Public administration	1.9%	3.1%	3.4%

Source: 2021 5-Year Estimates Data Profiles

Can we get a better idea of income vs. the population in the area?



# 2015 Master Plan Revisit

Green = Yes/Keep

Orange = Not sure/Maybe

Red = No/Do not keep

## Respect the Rights of Township Residents and Property Owners

Respect private property rights as guaranteed by the State of Michigan and United States Constitutions.

Encourage new development in areas with infrastructure that is available or attainable.

Encourage land uses that are compatible with adjacent land uses.

Encourage the cleanup or containment of blighted and/or contaminated sites.

Increase awareness of land use issues and the techniques available to address land use issues.

## Preserve Whitewater Township's Rural Character.

What is rural character supposed to mean? We need more housing.

Encourage development that retains or mimics natural features.

Encourage guidelines that preserve the environmental integrity of Township floodplains, wetlands, watersheds and water bodies.

Encourage community sewer and water systems in areas of the greatest environmental need.

Encourage the continuation of hunting, fishing, trapping, and other outdoor recreational opportunities.

Encourage  
Community Solar  
Electricity Everything  
Health, Economy  
Climate



# 2015 Master Plan Revisit

Green = Yes/Keep

Orange = Not sure/Maybe

Red = No/Do not keep

## Build a Sense of Community

Encourage social and cultural activities for year-round and seasonal residents.

Recognize and preserve the scale and compact nature of the commercial district.

Support and encourage the development and implementation of a recreation plan.

Encourage preservation of historically significant features within the Township.

## Encourage Economic Opportunities

Support property owners who engage in home occupation activities which are in character with the area/neighborhood.

Support business, agricultural production and agritourism.

Streamline the application process for development.

Encourage municipal infrastructure for the benefit of the Township and areas of the greatest need.

Encourage Rural Characteristics

Electricity Building to Transportation

Preserve the Rural Character of our Township

How about following the correct Ordinances

We need to get residents United + excited about a vision for our township

Follow The Ordinances!



# Preserve, Enhance and Transform

**PRESERVE** — these are the things that are great — keep them just how they are! **GREEN** sticky dot

**ENHANCE** — there are already positive things happening here, how can we make them even better? **YELLOW** sticky dot

**TRANSFORM** — what could this look like or how could it be better? **RED** sticky dot

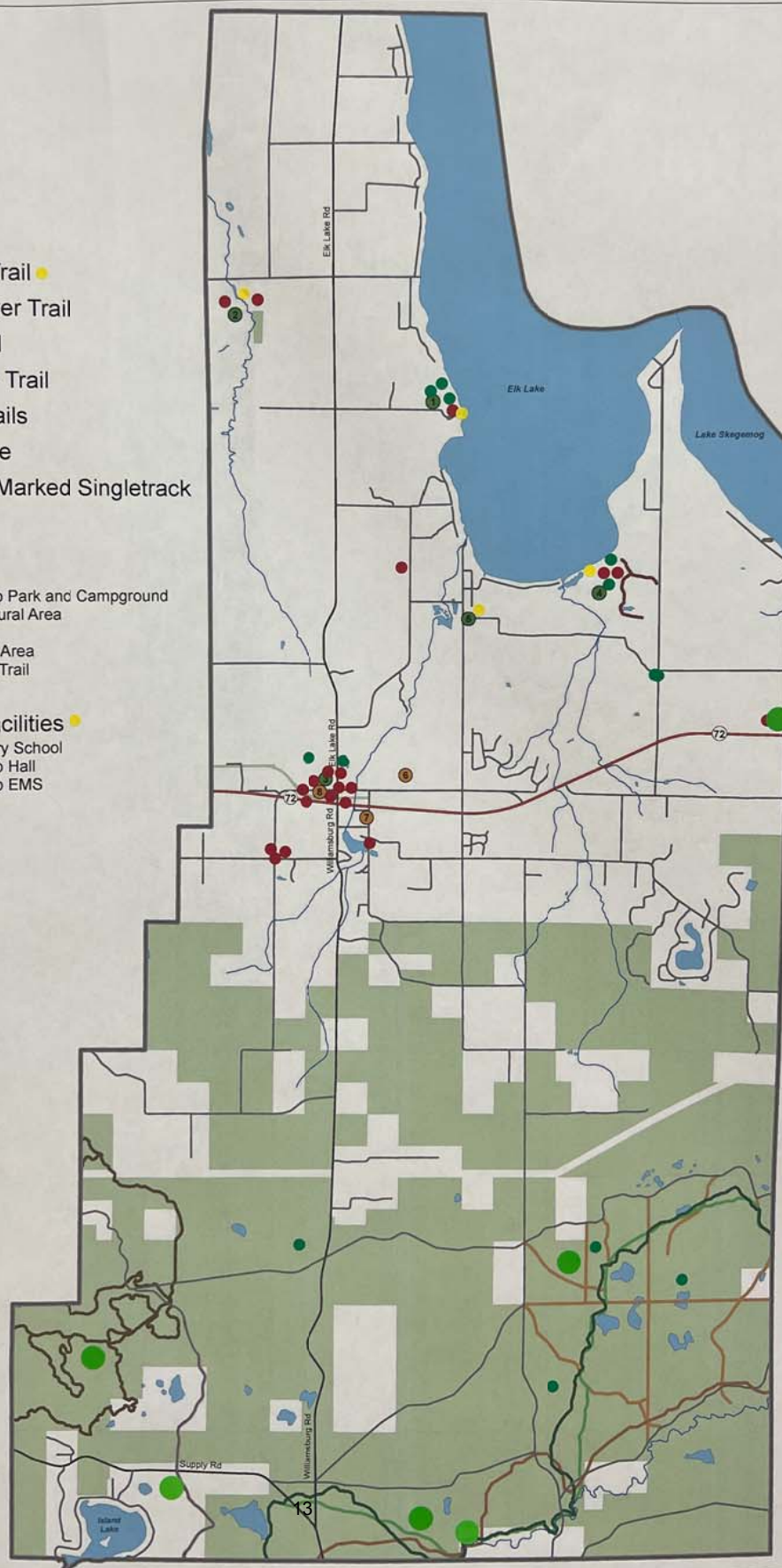
- Major Arterial
- Minor Arterial
- Local Roads
- Battle Creek Trail
- Boardman River Trail
- Iron Belle Trail
- North Country Trail
- Sand Lake Trails
- Shore to Shore
- VASA; VASA Marked Singletrack
- State Land

## ● Parks

- 1 Whitewater Township Park and Campground
- 2 Petobego Creek Natural Area
- 3 "Hi" Pray Park
- 4 Battle Creek Natural Area
- 5 Lossie Road Nature Trail

## ● Community Facilities

- 6 Mill Creek Elementary School
- 7 Whitewater Township Hall
- 8 Whitewater Township EMS



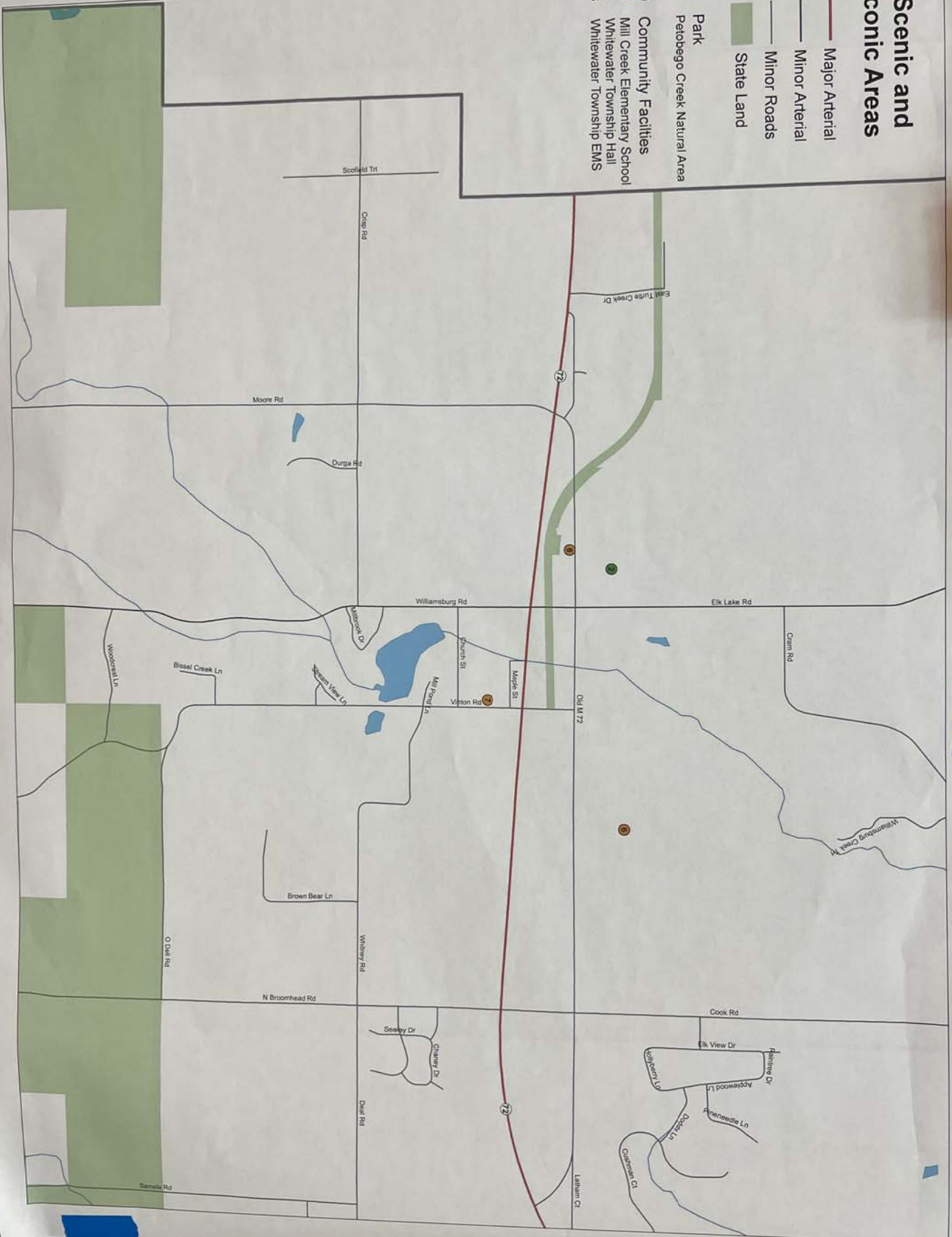
Q14A - Large solar  
(Neighboring Acme  
Large solar or wind  
to the grid and no  
properties (i.e., solar  
an alternative energy  
thoughts about such

I support alternative energy  
I support alternative energy  
I do not support alternative energy

Field  
I support alternative energy &  
appearance of the local rural  
I support alternative energy,  
the appearance of the local  
I do not support alternative energy  
Total

# Scenic and Iconic Areas

- Major Arterial
- Minor Arterial
- Minor Roads
- State Land
- Park
- Petobago Creek Natural Area
- Community Facilities
- Mill Creek Elementary School
- Whitewater Township Hall
- Whitewater Township EMS





sticky dot

Where should alternative energy facilities be located? GREEN sticky dot

Where should alternative energy facilities absolutely not be located? RED sticky dot

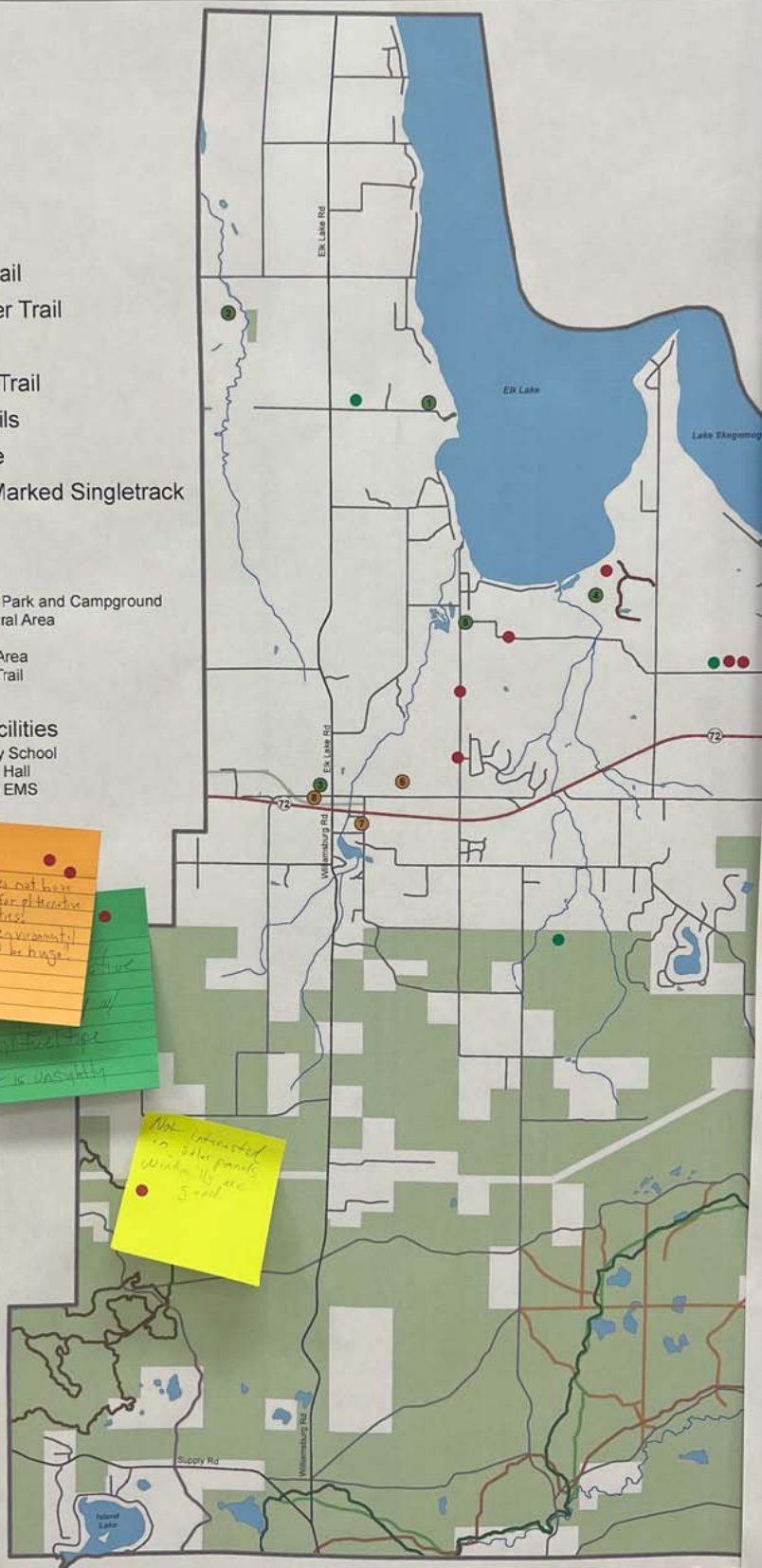
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## Parks

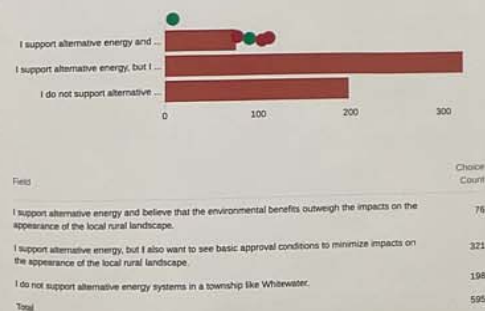
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## Community Facilities

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Q14A - Large solar or wind facilities are not uncommon in Michigan (Neighboring Acme Township approved 50-acre solar farm off M-72). Large solar or wind facilities produce larger amounts of power delivered to the grid and do not include individual systems serving individual properties (i.e., solar panels on rooftops). There are no current plans for an alternative energy facility in Whitewater Township, but what are your thoughts about such a facility in the future?



Incentivize bldg electrification of HVAC. Build Net Zero Houses and Commercial Bldgs

In past master township. Rural

Below are some mostly capture

You may also lo



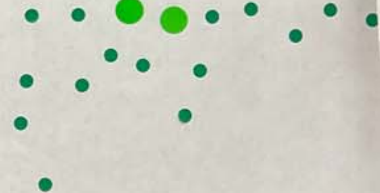
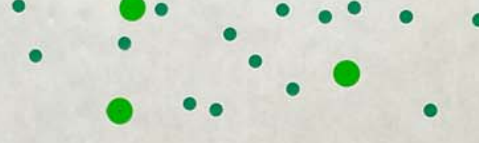
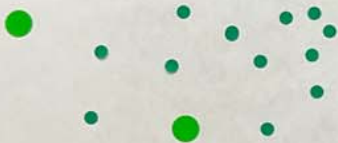


# Rural Character

In past master plans and surveys, residents have indicated a strong interest in maintaining the rural character of the township. Rural character can be challenging to define as it can mean many things — we want your help defining it!

Below are some photos of rural settings. You may use a **GREEN** sticky dot to indicate that you like the photo and that it mostly captures what you envision when you think of rural character.

You may also leave a comment to better explain your thoughts about what rural character means to you.





# Comments

## What else would you like to acknowledge?

Red dot always  
Township on  
intermediate energy

Keep minimum lot  
size the same

More + Compact  
too high!

Can see water  
from the  
intermediate  
is safe

hanging line to water  
Rd off 22

More speed limit in center  
to 35, as is 200 feet

More green there are  
places that are almost  
gone.

M72 EASTBOUND  
ELK LAKE RD.

DANGEROUS TO TURN LEFT  
INTO SPILL STATION  
SHOULD NOT SPOT PASSING  
LAKE UNTIL EAST OF SPILL

Simple  
Humble  
Status Quo

ELK LAKE RD.  
We need shoulders  
that are paved  
It is safer  
for drivers +  
bicycles

Develop housing  
along the road

Stoplight @  
Whitewater Rd. M72  
needs a flashing red or  
to be reimagined during  
lower traffic hours  
that time is to be 3-4 hours  
- Screen doesn't  
always work

Develop hit pads  
and create a safe  
shoulder to ride on  
Elk Lake Rd

must avoid high density  
housing including  
condos, apartments etc.

would like to see a  
minimum parcel size  
established across  
township

encourage some sort of  
average or vibrant land

Fully supportive  
of Bagg's Rd.  
One plan -  
for 1 acre  
parcels -  
!!!

No Condos!  
Keep what  
Rural, like the  
Northern statement  
says

KEEP WHITEWATER  
OWNERS RURAL

Let eye to build  
Shouldn't be  
5 ROWS  
1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-12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# Development: Location

Where should low-density residential neighborhoods be located? Indicate with a **YELLOW** sticky dot  
 Where should higher-density residential neighborhoods be located? Indicate with a **GREEN** sticky dot  
 Where should commercial development be located? Indicate with a **RED** sticky dot

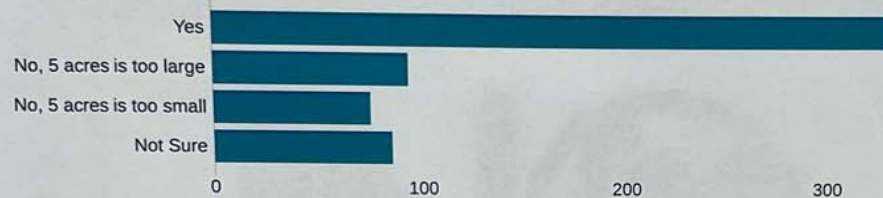
- Major Arterial
- Minor Arterial
- Local Roads
- Battle Creek Trail
- Boardman River Trail
- Iron Belle Trail
- North Country Trail
- Sand Lake Trails
- Shore to Shore
- VASA; VASA Marked Singletrack
- State Land
- Parks
  - 1 Whitewater Township Park and Campground
  - 2 Petobego Creek Natural Area
  - 3 "Hi" Pray Park
  - 4 Battle Creek Natural Area
  - 5 Lossie Road Nature Trail
- Community Facilities
  - 6 Mill Creek Elementary School
  - 7 Whitewater Township Hall
  - 8 Whitewater Township EMS

*Attracting  
 development  
 near school*





Q9A - Much of the land South of M-72 in Whitewater Township is zoned Recreational (RC-1). The minimum required parcel size in the RC-1 District is 5 acres (217,800 square feet – or about 300' x 725'). In your mind, is this 5-acre minimum parcel size appropriate in the RC-1 District?



Field	Choice Count
Yes	329
No, 5 acres is too large	93
No, 5 acres is too small	74
Not Sure	85
Total	581

Yes. In the Recreational area it is appropriate.

The 5-acre minimum lot size in RC-1 (or anywhere in the township) discriminates against lower income people. Absolutely should be reversed and not expanded.



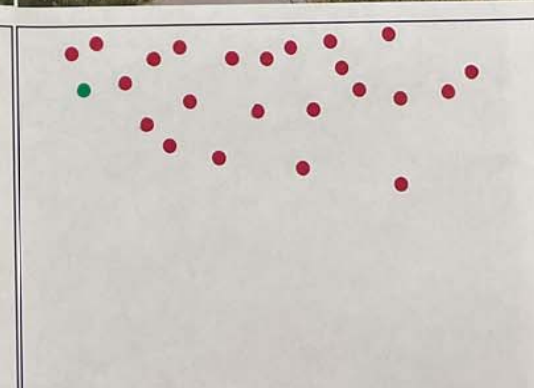
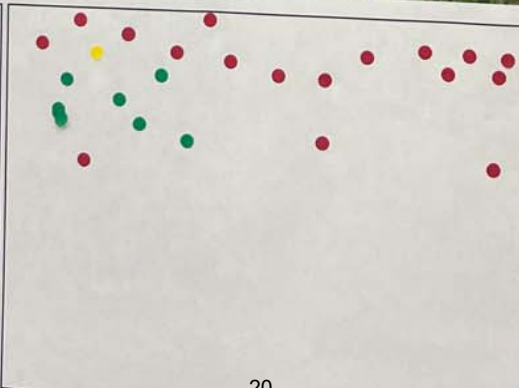
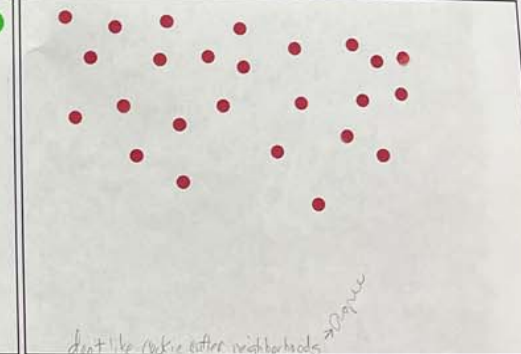
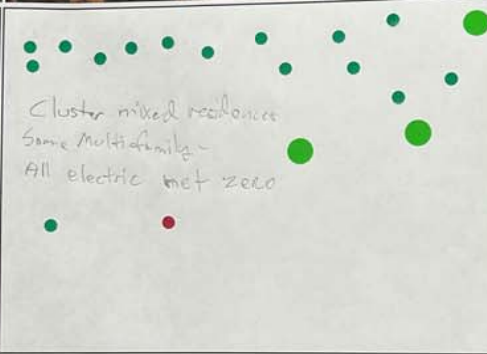
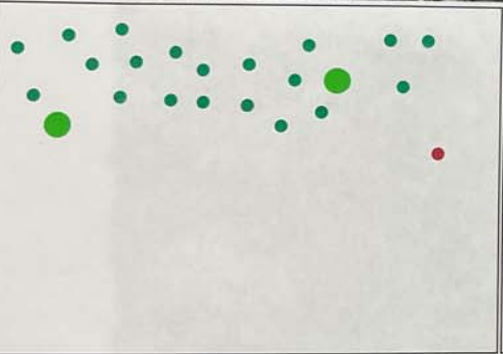
# Development: Housing

The U.S. Census is estimating that the township will gain residents over the next few decades. We also know from the most recent survey that maintaining the rural character of Whitewater Township is important to the residents.

How should the township balance that growth while maintaining its identity?

Imagine 500 new residents move into the township — what would their new homes/neighborhoods look like?

You may leave a comment and explain why you do or do not like certain types of housing options — please keep comments brief so that others have an opportunity to provide feedback. **GREEN** for “Pros” and **RED** for “Cons”



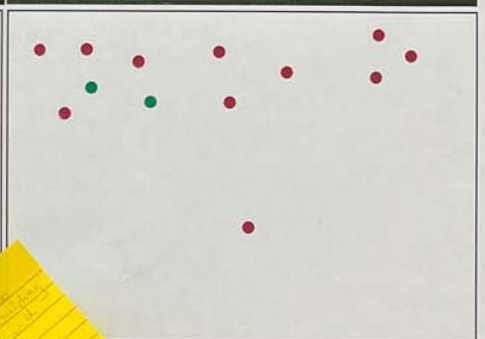
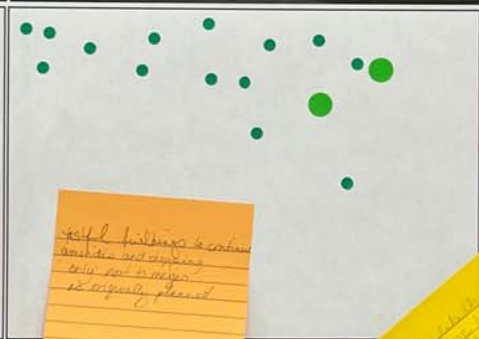
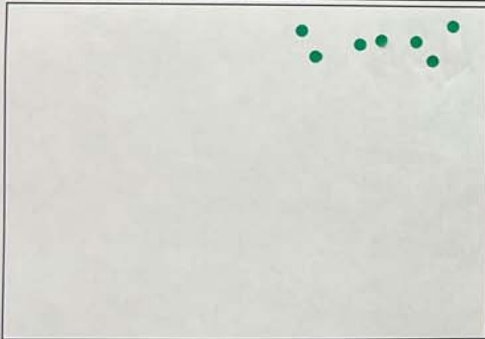


# Development: M-72

M-72 is the most heavily trafficked corridor in the township and it is the only region that would be considered traditional commercial development. It is a major throughfare that drivers pass through on their way to or from Traverse City.

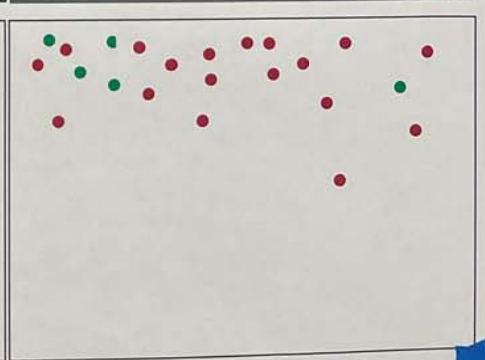
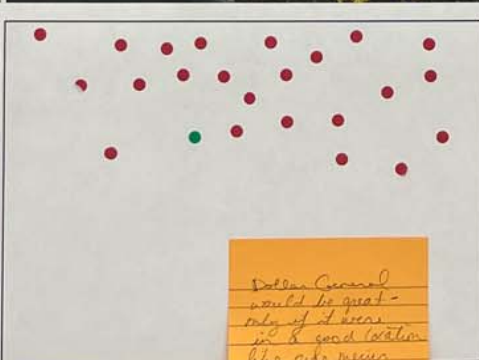
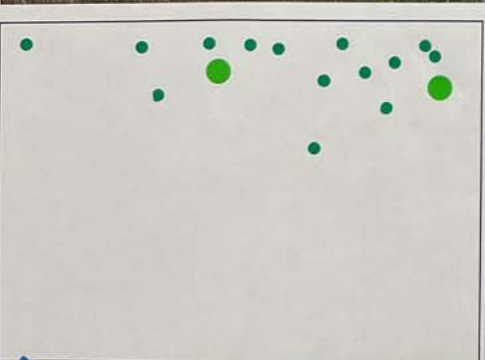
**What should the development in this corridor look like?** Below are some photos that show current buildings along the corridor as well as some samples from other communities. Use a **GREEN dot** if you like it and a **RED dot** if you do not.

You may leave a comment and explain why you do or do not like something — please keep comments brief so that others have an opportunity to provide feedback. **GREEN** for “Pros” and **RED** for “Cons”



well built buildings in center  
with the red roof  
only that is major  
is originally planned

Don't like building  
Don't like building  
Don't like building  
Don't like building



Dollar General  
would be great -  
only if it were  
in a good location  
like a red maple  
or next to a gas station

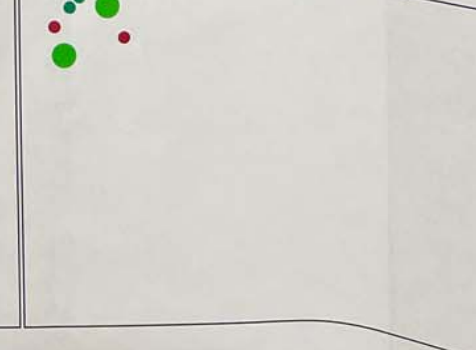
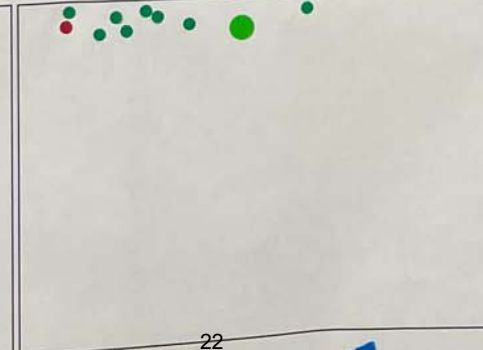
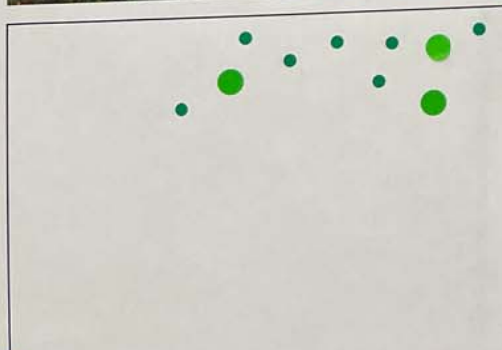
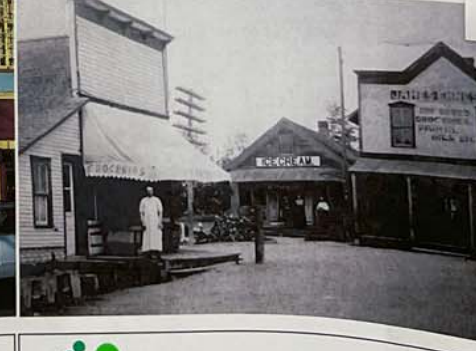
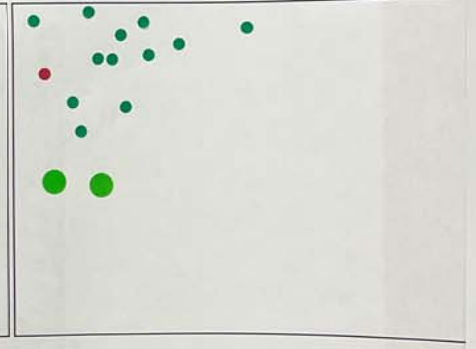
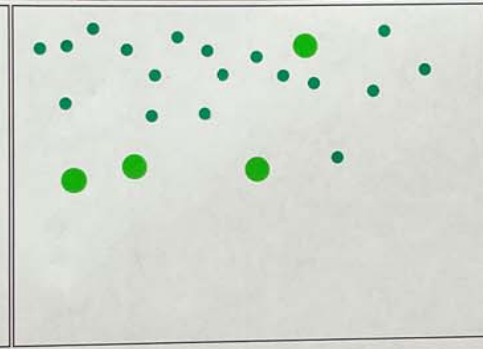
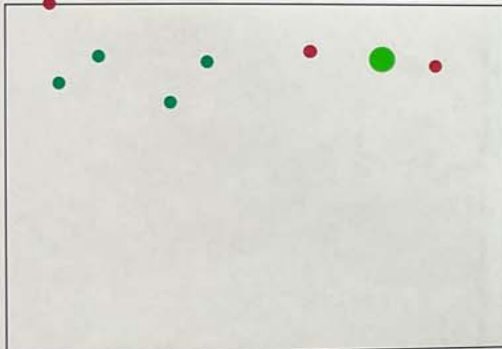


# Development: Downtown

Downtown Williamsburg is located near the intersection of Williamsburg Road/Elk Lake Road and Old M-72. In the past, there was what some may have considered a "traditional" downtown. Residents have indicated there is interest in having a traditional downtown again.

**What should the downtown look like?** Below are some photos that show current buildings along the corridor as well as some samples from other communities. Use a **GREEN dot** if you like it and a **RED dot** if you do not.

You may leave a comment and explain what you do or do not like in any of the pictures — please keep comments brief so that others have an opportunity to provide feedback. **Green for "Pros"** and **Red for "Cons"**





# Development Comments

• Focus  
COMMERCIAL  
DEVELOPMENT  
ON M72 CORRIDOR  
• NO COMMERCIAL  
DEVELOPMENT ON  
COOK ROAD

would like to see  
dev. requirements for  
giving businesses  
natural features to better  
blend into existing landscape  
encourage lighting that  
reduces glare on walls  
ways to reduce night  
pollution

KEEP natural elements  
in the community / to  
trees / plants  
keep light pollution down  
at end of new commercial  
developments

No Commercial  
development on  
Park Road  
Slow highway  
down on Elm Street

• Protect trees  
• No ugly development  
by highway - retain  
natural landscape

Electrify Everything  
for health, economy, climate.

New development,  
residential and  
commercial should  
be WELCOMED! The  
residents are bearing  
an unfair share of the  
tax burden!! Stop  
growing!

Support community  
Solar to  
democratize energy  
generation & grids

A place for kids  
can engage with  
activities, a walking  
path that does a  
full circle

I think a better  
yard or courtyard  
would save a lot  
of machines and  
equipment in the  
area - from driving  
in the way and  
the other side of  
town

at the very least  
can it be cleaned  
up? looks like  
a junk yard

Support Bagni  
R&D Development  
we need more  
developments for  
Housing

Bring a Home Dept/  
Mencels

who currently owns  
the buildings  
downstairs? Will the landlords  
have people to sell  
to make it better?

enforce  
clean up your  
property or be  
Fined

it would be nice  
to have a cleaner  
downtown with  
less chaos  
Short-term rentals do not  
bother me. People should  
be able to manage their  
own properties if they live  
here full time.

Support Short  
Term Rentals

Zoning?  
Control Short-term  
Rentals to provide  
more local housing  
for families  
who can then  
work locally.

No short-term  
rentals in the  
R1 districts

Bring a small  
home town restaurant  
for breakfast

Enforce  
STR  
Restrictions



# Infrastructure: Trails

One significant trail in Whitewater Township is the Iron Belle Trail which connects Belle Isle (in the Detroit River near downtown Detroit) to Ironwood in the western Upper Peninsula. The Iron Belle Trail is 2,000 miles long and it crisscrosses the more than half of Michigan's counties along two distinct hiking and biking routes. The biking route utilizes many of the state's existing bike paths, bike lanes and designated biking routes as it travels up the east side of the state. The hiking route (which goes through Whitewater Township) utilizes sidewalks, trails, and the 1,000-mile plus North Country route (which goes through Whitewater Township) utilizes sidewalks, trails, and the 1,000-mile plus North Country National Scenic Trail traveling up the west side of the Lower Peninsula. The trail is still under development and is more than two-thirds complete. When done, it will be the longest state-designated trail in the nation. The west leg of the Iron Belle Trail travels through southern Whitewater Township.

An illustration of all trails in Whitewater Township is provided to the right. It should also be noted that TART (Traverse Area Recreation and Transportation Trails, Inc.) is a local 501(c)(3) nonprofit organization. The mission of this organization is to provide and promote a trail network that enriches people and communities throughout the greater Grand Traverse region. The TART Trail network is within and near Whitewater Township. The Boardman/Ottaway River Trail is a 24-mile trail that crosses Supply Road west of Williamsburg Road.



- Major Arterial
  - Minor Arterial
  - Local Roads
  - Battle Creek Trail
  - Boardman River Trail
  - Iron Belle Trail
  - North Country Trail
  - Sand Lake Trails
  - Shore to Shore
  - VASA; VASA Marked Singletrack
  - State Land
- Parks**
- 1 Whitewater Township Park and Campground
  - 2 Petobago Creek Natural Area
  - 3 "Hi" Pray Park
  - 4 Battle Creek Natural Area
  - 5 Lossie Road Nature Trail
- Community Facilities**
- 6 Mill Creek Elementary School
  - 7 Whitewater Township Hall
  - 8 Whitewater Township EMS



## What are your thoughts on the trails?

Do we need more? If so, where?

Are the township trails adequately connected to the region?

What facilities need to be added or improved?

— Safe walking loop  
at township park

River/Stream Access Points

would like to see  
trails in areas  
where there are  
many bikers on  
sidewalks to keep  
bikers & walkers  
safe from accidents  
(Elk Lake Rd vs M)  
Ditch

I have never  
heard of the  
Iron Belle trail  
Better signage?  
In favor of bike  
trails for safety  
reconnection.

More bike trails  
for example a trail  
that connects to the  
Tart Trail

\* improve park ed  
is a must for  
those pulling compost  
wheels.  
trail improvements

Reconnect BCNA to  
Elk Lake



# Infrastructure: M-72

M-72 is a high-speed, heavily trafficked corridor that is the center of commercial development in the township. There are a number of reasons why it is important to consider what infrastructure in this corridor will look like as more businesses change ownership or new businesses are developed.

Combining access drives, also known as driveway consolidation or access management, is a planning and design strategy used in transportation and urban development to improve safety, traffic flow, and overall efficiency. Access management should be carefully planned and executed to balance the needs of various stakeholders, including property owners, businesses, commuters, pedestrians, and local communities. Here are several reasons why combining access drives might be implemented:

**Safety Improvement:** One of the primary reasons for combining access drives is to enhance safety on roads and streets. Multiple driveways or access points close to one another can lead to conflicts between vehicles and pedestrians, create weaving movements, and increase the risk of accidents. By consolidating access points, you can reduce the number of conflict points and improve safety for all road users.

**Traffic Flow:** Multiple access points can disrupt the flow of traffic by causing congestion, especially during peak hours. Combining access drives can reduce congestion and improve the overall traffic flow, benefiting both commuters and businesses in the area.

**Efficiency:** Consolidating access drives can improve the efficiency of transportation networks. When access points are combined or reduced, it can lead to smoother traffic operations, shorter travel times, and reduced delays for motorists.

**Pedestrian Safety:** Access management is not only about vehicles; it also takes into consideration the safety and convenience of pedestrians. Fewer access points mean fewer potential conflicts between pedestrians and vehicles, making it safer for people walking or using crosswalks.

**Accessibility:** Improving access management can enhance accessibility for individuals with disabilities. Well-designed access points can provide safe and convenient crossing opportunities for people with mobility impairments.

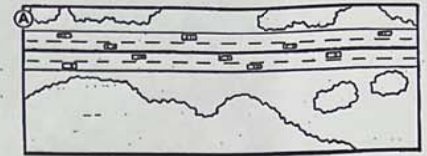
**Land Use Planning:** Combining access drives is often part of a broader urban planning strategy. It can help guide and control development in a way that ensures the efficient use of land and promotes a more sustainable, walkable, and transit-friendly urban environment.

**Economic Benefits:** Enhanced access management can benefit businesses by improving the visibility and accessibility of commercial properties. When access points are strategically located and consolidated, it can make it easier for customers to access businesses, boosting their economic viability.

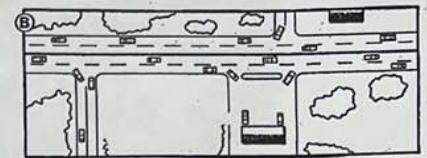
**Aesthetics:** Combining access drives can lead to a more aesthetically pleasing streetscape. It can reduce visual clutter and create a more attractive environment for residents and visitors.

**Environmental Impact:** Reduced congestion and smoother traffic flow resulting from access management can contribute to lower fuel consumption and reduced emissions, which align with environmental sustainability goals.

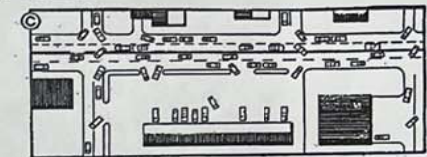
Cumulative Impact of Increased Roadside Development ...



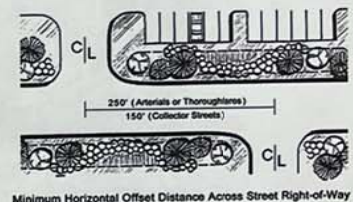
What happens when unrestricted development takes place ...



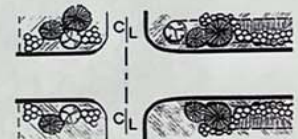
over time ...



Source: Center for Transportation Research and Education, Iowa State University, *Iowa Access Management Guidebook*, October 2000, p. 19.



Minimum Horizontal Offset Distances Across Street Right-of-Way



Aligned on Driveway Centerline Across Street Right-of-Way



Combined access drives for multiple businesses provide improved safety for motorists. Limited crossing points for pedestrians decreases the opportunity for vehicle/pedestrian accidents. Uniform landscaping and development patterns create an aesthetically improved look.



Unregulated access drives lead to reduced pedestrian and motorist safety by increasing the opportunities for vehicular deceleration and more points of conflict. It can also lead to driver confusion when looking for a drive to access a specific business.

Would you support the township developing regulations to improve the M-72 corridor to assure that it remains safe, efficient, and an economic hub for the township? GREEN for "YES" and RED for "NO" •

YES

NO

Is the township going to pay for this - Mom & Pop store should not have to pay for this



# Infrastructure: Facilities



## Fire/EMS

Do you feel the Emergency Services in Whitewater Township are adequate?

Should the Fire/EMS Building be improved/updated?

### Comments

When chief gets a new car, make it electric.

Not spending the money on a club or to get the EMS with some \$0 in the future & other better things for water & sewer.

No - Not adequate.

House all emergency equipment on one building.

I support Fire/EMS. What else they need.

We need a new Fire/EMS facility.

More Crawford too high - could cut down before passing.

Township is growing. I need a larger facility. Fire/EMS. Please consider the future of the township.

Upgrade Fire/EMS Facility and ensure regular staff training & certification.

Township needs a new Town hall with Fire/EMS.



## Public Transportation

Do you feel that public transportation services are adequate?

Currently, there are no bus stops in the township—should there be? If so, where?

### Comments

Not needed - not a walkable township.

Traffic Control is a must!

Our downtown needs a Re-do...



## Township Hall

Should the Township offices be improved/updated?  
What types of updates would improve services?

### Comments

Current building seems adequate.

Add a library - not garden to property.

Building is good - redecorate.

Some adequate cost to much - don't need higher taxes!

Better technology. More TV for quality.

It's in good shape. Repair, however.

A modern facility with a modern interior. A modern exterior. A modern interior.

Small hall and upgrade kitchen. Also an outdoor big hall for the office space and a community room with a large screen.

Current township hall was built 100 years ago. The supervisor doesn't want to even get necessary repairs done. The people should have a town hall that is being properly maintained.

# Infrastructure Comments

Would you be in favor of septic field inspection on lakefront property? •••

- Yes. Inspect septic fields. Support state wide regulation.
- ~~Yes!~~

Yes Keep our lakes clean.

- NO

Turn Lane All through Business on M72

- Light @ M72 + Williamsburg Rd needs new sensor and/or flashing red (in low traffic times) (current wait times 3-12min)
- Enforce speed limit on Williamsburg Rd. Cars are passing at 80mph in non-passing zones

Are <sup>current</sup> speed limits appropriate in WWT?

- yes

Vinton needs to be slowed to 35mph.



Consider liquid  
insurance for  
support of  
Argentina

I do not  
Support Bays  
Road Development  
at Possible Under

“GEM OF THE EAST”  
OLD 72 - 688  
POST OFFICE  
HOME (707) 408  
COLUMBIA 23  
GREEN HILL, CALIF.

Widen Elk Lake Rd  
to accommodate  
bikes

Had to clean up and/or  
move in "dinner" it looks  
like a year around junk  
take on the main street  
by post office. Had to  
clean up before we have  
a shoveling.

NEED  
DEDICATED  
PICKLEBALL  
COURTS

# ROADS  
are Costly.  
Let's ReExamine  
the Process !!

light

that to clean up noise  
was in "downtown" it felt  
like a year around such  
was on the main street  
to get along, stand to  
clean up before you hear  
a "downtown"

# Zoning Enforcement

Minimum Property  
Size. Low  
Density Housing

I think that  
Rabbits are excellent and  
to bring themselves to  
and eventually ~~with~~  
~~the~~


Thanks for Agents  
is!  
Now, STOP BROWSE  
"PARENT TOGETHER"  
on STUFF.

- \* Electric pluging
  - acres
  - \* apartment
    - apartment
    - apartment
    - apartment
- \* library
- \* Building construction
  - building construction
  - building construction
  - building construction
- \* Imagining
  - imagining
  - imagining
  - imagining

Don't Allow  
SHIRT FROM  
RETURN 3!

- Team up around the past office
- Support local Small business expansion
- Stop all the horse show people from running our community
- Stop all the rodeo fans

Allen Housley  
Development on Pages 62



No short term  
rentals

More + ASD: control  
- My daughter who almost  
hit by a driver that passed  
on the right because  
my vehicle hit the bus. she  
was little nose of my leg  
when the car passed. But  
People pass the stop light  
on the bus all the time

NO Short term rentals

- Our elected officials need to get along, & conduct themselves more professionally.

Ordinance Enforcement  
is  
#1 Priority  
for  
WWT

we need to support  
the best paper  
they spend a lot  
of \$ in raw materials

we need to support  
another small  
support as former

Short term rental  
Rules should be  
enforced

Road maintenance is  
a huge safety concern.  
K&K Red - we need a  
wide shoulder for safety,  
plow, tractor traffic, and  
keep Rd from crumbling.  
A Cart Rd - this is more  
pot holes than Road!

If you make  
new links, are  
you going to  
follow them?  
lolololol

ZANINGA ISSUES

DEFINE SMUG. TERM  
DUTY

DO NOT ALLOW ON  
PRIVATE LABEL OR  
ANY OTHER, FOR THAT,  
MATTER IN  
THE TOWNSHIP

Short Term Perks -  
They are needed by  
taxpayers but people  
do what they want  
Even as a starting  
we already in place  
It's better than  
more ugly books

Horse shows which brings  
a lot of money to our area.

---

place if they have  
an scheme to show sheep will  
behold just outside our turf  
taking kind that will be worst  
more than 1/4 the year.

STR'S  
NEED  
Veen  
CLEAR  
DEFINITION  
↳  
Enthusiasm!

Need blue button nearby  
zooing now is high  
Happen every night

financially as stable  
the other exists had  
same. We do not have enough  
whereas they have experience  
and working labor. They know  
the support of this and would be  
best if we allow for the  
we are big enough to house  
the work of neighbors and  
sisters, have time to give

Thank you for  
having the open  
house & looking  
forward to get you one  
with up dated info

It would be interesting  
to know what % of NWI  
residents are pipefitters,  
in line w/ Elk Lake & Lake  
Skagway.

Great  
Job!

**What else would you like to acknowledge?**

we need is a  
 war, whether we  
 know of what we want  
 to do - to stand for  
 - this of course  
 always demands  
 leadership -

Road Construction

PUT CAP  
 LAST mile  
 STRONG

Support Activities:  
Acting Team paper  
Need to be aware

This is a good process overall  
What we need is a  
clear, cohesive  
vision of what we want  
Uniklinik to stand for  
and are the 4 most  
important things defining  
our founding

PUT CAP ON  
LAST mile at  
Skycrag Pt Road  
get into road & away  
will not pass  
this week attention!

Keep windows open,  
inside house flowering  
not on electric and  
allow foot traffic's  
allow windows to open  
100% of these cases in  
T.E. Maryland

light



What else would you like to acknowledge

Allura short-term  
cereals



Following the recent survey and open house, the next step is the **FINAL PLANNING WORKSHOP** scheduled for **NOVEMBER 7**. This event builds upon results from the recent community survey and open house. After this, the Planning Commission will develop a draft Master Plan for review and comment.



# WHAT DO YOU THINK?

## When

**Tuesday, November 7, 2023**  
**Time: 7 pm - 9 pm**

## Where

**Mill Creek Elementary School**  
**3039 Old M 72, Williamsburg, Michigan**

## What to Expect

People attending this workshop will be organized into small groups and will join conversations about Whitewater Township planning goals and ways to achieve them. The evening starts with a short introductory presentation followed by opportunities to share your thoughts and ideas. Group facilitators will encourage participation and collaboration. The evening concludes with sharing findings and results.

## Why

You can help create the future. Past decisions and planning created the Whitewater Township we know and love today. Now it is your turn. Master Plans are updated to redefine long-term goals and describe a vision for preservation, redevelopment, and development. Events like these are a unique time to consider the future and add your voice to the conversations shaping the future Master Plan.

# Substantial Change Discussion

For this discussion; I propose we define what “substantial change” means to us. From there we can use a flowchart/process to determine if and when we should make a change. If we choose to make the change we need to justify and document that change. Please see the example/s of this idea below.

**Definition:** A substantial change to our Zoning Ordinance refers to a significant modification that involves either diminishing or enhancing the rights and/or responsibilities to land use and/or development regulations.

OR (prepare something to share and discuss)

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**Substantial** (large impact) examples that should be dealt with AFTER the Master Plan is complete (agree or disagree? Why or why not? What else?):

- Lack of zoning map
- Pyramid nature of zoning districts
- Sign regulations that conflict with recent Supreme Court decisions
- Lot size and setback requirements that are questionable
- 

**Non Substantial** (small impact) examples that can be changed now/before the Master Plan is complete (agree or disagree? Why or why not? What else?):

- Lack of definitions
- Conflicting terminology
- Conflicts of requirements
- Lack of clarity
- Poor organization
- 

**Questions** we can/should ask ourselves:

1. Will this change provide clarity?
  - a. If yes, will it impact the rights or responsibilities of our land use or development regulations?



- i. If yes, does it impact the safety, welfare, or Liability of/for our township or its residents?
  1. If yes, discuss further and if change is warranted create a **fact-finding list** as to why the change is necessary sooner rather than later.
    - a. Majority decides. (Does this require a roll call vote?)
  2. If no, wait for Master Plan completion before acting
- b. If it will NOT impact the rights or responsibilities of our land use or development regulations, proceed with the update/change.

**Fact Findings for a change impacting the rights or responsibilities of our land use or development regulation/s:**

1. Current Regulation (Article # and synopsis):

---



---



---

2. Proposed Change:

---



---



---

3. What is impacted:

Safety? Why/how/who is affected:

---



---



---

Welfare? Why/how/who is affected:

---



---



---

Liability? Why/how/who is affected:

---



---



---

4. How (reasons why) the change will resolve the issue?

- a. 

---
- b. 

---
- c. 

---
- d. 

---

Yes votes: 

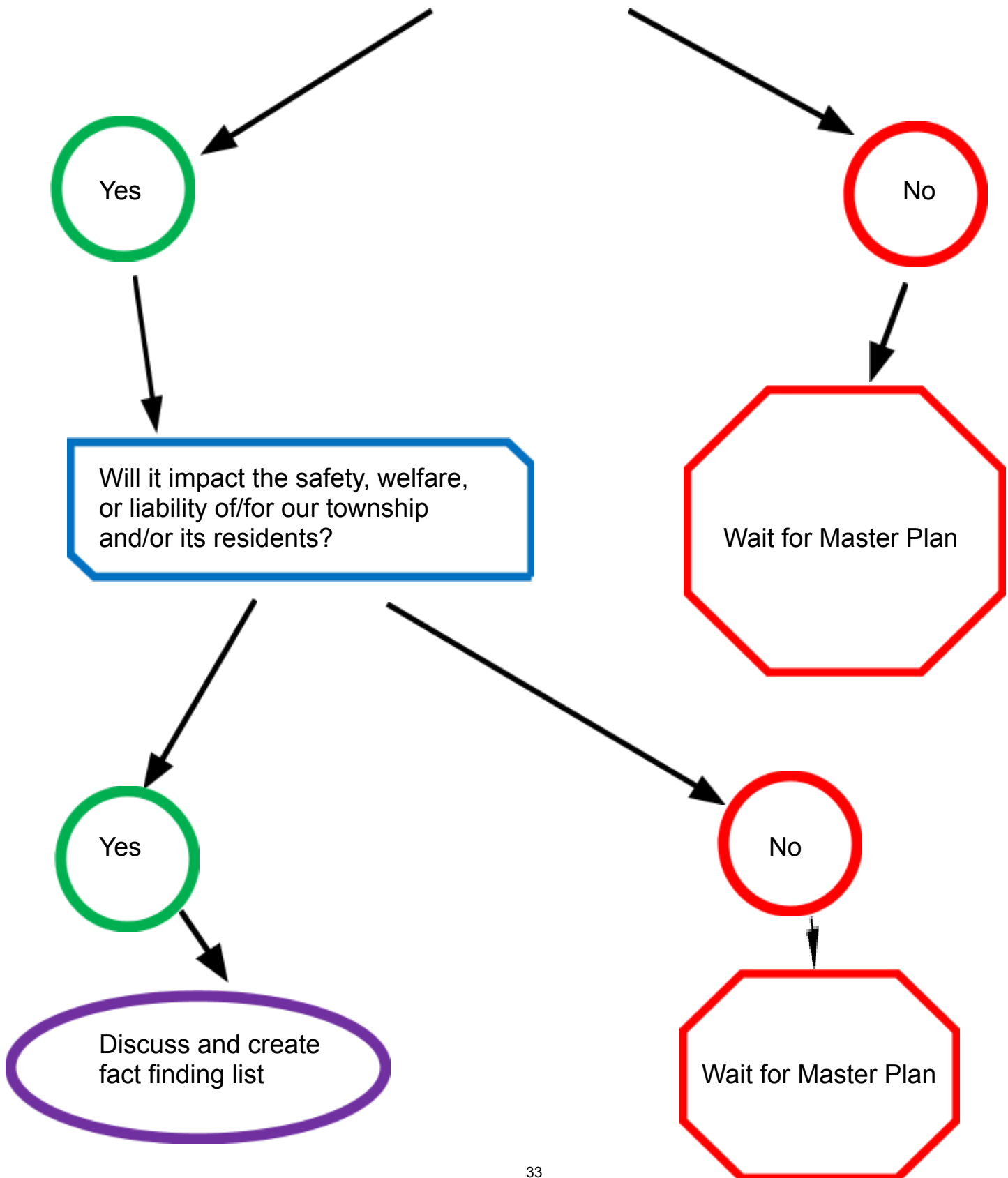
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No votes: 

---

Passes: Yes / No

# Will this Zoning change provide CLARITY?





# Zoning Change Fact Finding:

Current Regulation (Article # and synopsis):

Problem Identified:

Proposed Change:

What is Impacted?	Safety	Welfare	Liability
Why/how/who is affected:			

How will the change resolve the issue?

1.
2.
3.
4.

Yes Votes:

No Votes:

Passed: Yes or No

## Proposed New Organization to the Whitewater Township Zoning Ordinance.

OLD	New
ARTICLE 1 SHORT TITLE	<b>ARTICLE I TITLE, PURPOSE, AND SCOPE</b> (COMBINE ART. I, II, XX, XXII, XXIII (SHORT TITLE, PURPOSE, SCOPE, INTERPRETATION, SEPARABILITY, REPEAL, EFFECTIVE DATE)
ARTICLE II INTERPRETATION	<b>ARTICLE II DEFINITIONS</b> (ARTICLE III DEFINITIONS)
ARTICLE III DEFINITIONS	<b>ARTICLE III ZONING MAP AND DISTRICTS</b> (NEW SECTION THAT REPLACES ART. V AND ESTABLISHES THE ZONING MAP AS PART OF THE ZO, IDENTIFIES ZONING DISTRICTS, ETC.)
ARTICLE IV ACCESSORY AND NONCONFORMING USES AND BUILDINGS	<b>ARTICLE IV ZONING DISTRICTS, USE REGULATIONS AND PRIMARY DIMENSIONAL REQUIREMENTS</b> (ARTICLE VI, VII, VIII, IX, X, XI, XII) DESCRIBES ALL ZONING DISTRICTS, PERMITTED SPECIAL USES AND PRIMARY DEVELOPMENT REGULATIONS
ARTICLE V DISTRICTS	<b>ARTICLE V SUPPLEMENTAL DEVELOPMENT STANDARDS AND PROVISIONS</b> (IV. XIII, XIV, XV, XVI, XXIX, XXXIII, XXIX XXXVII)
ARTICLE VI RESIDENTIAL R-1	<b>ARTICLE VI OFF-STREET PARKING, LOADING, LIGHTING AND LANDSCAPE STANDARDS</b> (XXXIX, XXXIII, XXIV)

OLD	New
ARTICLE VII MULTIPLE RESIDENTIAL R-2 and R-3	<b>ARTICLE VII OPTIONAL PLANNED DEVELOPMENTS</b> (ARTICLE XXXI and XXXII) PLANNED UNIT DEVELOPMENT AND CORRIDOR OVERLAY PLANNED UNIT DEVELOPMENT
ARTICLE VIII COMMERCIAL C and VILLAGE V	<b>ARTICLE VIII CONDOMINIUM DEVELOPMENT REGULATIONS (xxviii)</b>
ARTICLE IX INDUSTRIAL	<b>ARTICLE IX SITE PLAN REVIEW (xxv)</b>
ARTICLE X AGRICULTURAL A-1	<b>ARTICLE X SPECIAL LAND USES (xxv)</b>
ARTICLE XI RECREATIONAL RC-1	<b>ARTICLE XI SIGN REGULATIONS (xxx)</b>
ARTICLE XII BUILDING LOT SIZES AND YARD REQUIREMENTS	<b>ARTICLE XII TELECOMMUNICATION TOWERS (xxxv)</b>
ARTICLE XIII ESSENTIAL PUBLIC SERVICES	<b>ARTICLE XIII MOBILE HOME STANDARDS (xxxvi)</b>
ARTICLE XIV WATERFRONT PROPERTY	<b>ARTICLE XIV SANITARY LANDFILL AND WASTE DISPOSALS (xxiv)</b>
ARTICLE XV SANITATION REQUIREMENTS	<b>ARTICLE XV ADMINISTRATION (xvii, xviii, xix, xxi)</b> ADMINISTRATION, ZONING BOARD OF APPEALS, AMENDMENTS, VIOLATIONS
ARTICLE XVI OUTDOOR STORAGE	
ARTICLE XVII ADMINISTRATION	
ARTICLE XVIII ZONING BOARD OF APPEALS	

OLD	New
ARTICLE XIX REQUEST FOR AMENDMENT	
ARTICLE XX SEPARABILITY	
ARTICLE XXI VIOLATIONS	
ARTICLE XXII EFFECTIVE DATE	
ARTICLE XXIII REPEAL	
ARTICLE XXIV SANITARY LANDFILL AND WASTE DISPOSAL	
ARTICLE XXV SITE PLAN REVIEW AND SPECIAL LAND USES	
ARTICLE XXVI RESERVED	
ARTICLE XXVII RESERVED	
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OLD	New
ARTICLE XXXVI MOBILE HOME STANDARDS	
ARTICLE XXXVII SUPPLEMENTARY PROVISIONS	



# WHITEWATER TOWNSHIP ZONING ORDINANCE AMENDMENT CHART

AMENDMENT #	EFFECTIVE DATE	SECTIONS AMENDED	DESCRIPTION
Original Adoption			
1	10/23/1973	5.10, 5.11, 5.13	Corrected 3 Legal Descriptions for Zoning Districts (R-1, A-1)
2	11/20/1973	6.11, 7.11 , 10.10	Single Family Lot Size Requirements
3	3/18/1975	3.27,5.12, 6.10, 12.10, 18.12	Domestic pets, ZBA, Mobile Homes, Several Legal Descriptions
4	10/30/1978	5.00,5.13,5.16,19.10,19.11,24.10,24.11	Amendment Process, Create R-3, Rezone N to R-3.
5	6/11/1979	25.10,25.11	Add Special Admin Review Process, Amend ZBA
6	6/11/1979	18.10	ZBA
7	10/21/1980	3.14	Mobile Homes
8	10/21/1980	3.23	Travel Trailers
9	7/7/1981	Preamble, 2.10, 3.27, 5.10(23), 5.10(24), 6.11, 6.13, 12.11, 15.11	Preamble, vegetative strip, legal descriptions, boardman river, lot area, yard requirements
10	4/20/1982	3.12,3.13,3.14,6.10,17.14	Mobile Home Park & Dwelling Related Definitions, Land Use Permits
11	8/31/1985	2.10,2.12, 6.10, 6.12, 8.10,9.11 , 10.10,11.10,12.10, 12.12,24.10,25.10	Purposes, Interpretation, Lot Splits, Permitted Uses, artificial bodies of water, Morals, retail uses, special uses, setbacks, migrant workers, junk yards, dwelling sizes, building sizes, variances, hardship, administrative review process
12	5/19/1987	3.29,3.30,3.31,6.14,19.10, 25.12,25.13	Definitions, R-1 Special Uses, Rezoning, Special Use Requirements, Bed and Breakfasts
13	11/24/1987	12.11	Building Sizes and Yard Requirements
14	5/31/1988	25.13	Sanitary Landfills
15	12/20/1988	2.12,3.30,3.31,8.12,9.13,11.10,17.14, 19.10, 25.00, 25.10,25.11,25.12,25.13,25.14,25.20	Site Plan, Special Uses, Off Street Parking, Uses Permitted, Land Use Permits, Amendments, Site Plan Review, Standards for Decisions, Site Plan Review Requirements and Procedures, Site Plan Amendments.
16	3/21/1989	8.10,9.10,25.15	Commercial C Permitted Uses, Landscaping
17	8/15/1989	26.00	Sound Regulations
18	2/20/1990	5.12,5.13	Zoning District Boundaries, RC and N
19	9/28/1990	2.10,3.19, 3.32,3.33, 17.14(A), 25.11, 25.12, 25.13, 25.14(1), 25. 14(4)(a), 25. 14(5)(f)(3)	Standards for Decisions, Interpretation, Site Plan, Condos, Site Plan Review Requirements, Plot Plan
20	9/28/1990	3.34, 9.10, 25.20(2), 27.00, 28.00	Condos Regulations, Sign Definitions, Billboards, Environmentally Sensitive Areas, Steep Slopes, Ground Water Recharge, Natural Hazards, Historical Resources
20	10/1/1990	3.34, 9.10 (these two articles have different effective dates)	----
21	4/12/1991	3.34,25.11,25.14,25.20	Ground Water Protection, Underground Storage Tanks, Site Plan Review Standards,
22	7/5/1991	30.00	Sign Regulations

AMENDMENT #	EFFECTIVE DATE	SECTIONS AMENDED	DESCRIPTION
23	1/1/1992	Recodify Zoning Ordinance	Recodify Zoning Ordinance
24	5/7/1992 (Readopted 12/24/1992)	3.19, 10.10(f), 25.11, 25.14, 29.00	Exterior Lighting, Site Plan Review, Standards for Decisions, Agricultural Dumps
25	6/5/1992	5.13, 5.16	Rezoning N District
26	12/24/1992	31.00	PUD
27	5/28/1993	5.17	Rezone Property to PUD
28	6/23/1993	6.11, 7.11, 7.13, 8.11, 9.12, 11.10, 12.00, 12.11, rezoning of a parcel in Section 33	Chart with lot sizes, setbacks, etc. Rezoned Land from RC-1 to C-1
29	7/6/1993	5.17	PUD Rezoning
30	6/1/1994	5.17	PUD Rezoning
31	6/1/1994	17.14, 27.12	Land Use Permits, Wetland Regulation/Definition
32	9/13/1996	3.36,3.37,3.38,8.10,8.12, 8.13, 9.11,9.13,12.11, 25.13 (A), 31.13(G)(a), 32.00, 33.00, 34.00	Housekeeping Amendments, N District Updates, Definitions, M-72, C-1 R-3 and N Zones Building Sizes and Setbacks, C-1 updates, Hotel/Motel sizes, COPUD, Landscape Standards, Off Street Parking Requirements
33	9/13/1996	6.11	Special Use in R-1 - Schools
34	10/1/1997	3.10	Accessory Buildings
35	10/16/1997	35.00	Telecommunication Towers, Wireless Antennas
36	10/5/1998	8.10,8.14,8.15	Village District,
37	10/5/1998	5.12,5.13,5.16	Village District and C-1
38	10/5/1998	5.12,5.13	Several Rezonings- C-1 and N
39	3/6/1999	5.18	Rezoning - COPUD
40	6/9/1999	8.13, 25.20(B)	Sexually-Oriented Businesses
41	10/8/1999	5.13(2)	Rezoning N District
42	7/31/2000	5.18(2)	Rezoning - COPUD
43	6/1/2001	5.18(3)	Rezoning - COPUD
44	2/16/2002	5.17(4)	Rezoning R-3 to PUD Rezoning Whitewater Inn.
45	3/4/2003	3.39,5.15,5.19, 11.10(G), 12.11,36.00	Mobile Home Park Definitions, Mobile Home Park District, Remove MHP from R-3, Create Mobile/manufactured Home Park District
46	6/28/2004	10.10(EJ) 10.10(G)	A-1 Permitted Uses,
47	12/7/2004	3.40,3.41	Residential Fences, Outdoor Display Area, Outdoor Inventory Area



AMENDMENT #	EFFECTIVE DATE	SECTIONS AMENDED	DESCRIPTION
48	12/30/2004	5.10	R-1 Zoning District Boundaries - Rezoning
49	4/2/2005	5.10(13)	R-1 Zoning District Boundaries - Rezoning
50	5/20/2005	5.13,5.18	Rezoning N District and COPUD District
51	5/30/2005	14.10	Minimum Area and Frontage Water Frontage
52	8/12/2005	31.00	Planned Unit Development -Rewrite/Update
53	9/10/2005	7.10,7.14,10.11,11.10,11.11 (Article 31 attached)	A1 Permitted Uses, R-2 Special Use, R-3 Special Uses RC-1 Uses Permitted RC-1 Special uses, PUD
54	7/7/2006	4.15	Extension of Non-conforming uses
55	7/7/2006	25.12(B)	Site Plan Public Hearing Notice
56	1/3/2009	12.11	4;1 width to depth ratio and variance provision reference
57	7/7/2009	30.14,30.20 through 30.27	temp signs, off premises signs
58	12/17/2009	18.00	New Article 18 - ZBA
59	12/17/2009	3	New Article 3 Definitions
60	2/13/2010	25.10,25.11,25.12,25.13,25.14,25.15,25.16,25.17,25.18,25.19,25.20	New Site Plan Review and Special Use
61	7/17/2010	30.14,30.15,30.17,30.18,30.19,30.21,30.24,30.25,	Sign Regulations
62	11/25/2010	30.26, 30.27	Amends Administration Section, Zoning Admin.,
63	2/21/2011	17.10,17.12,17.14,17.15,17.1	Temp Buildings, Uses,
64	7/22/2011	3.00,6.10,6.14,25.19,37.20,37.30	Outdoor Wood Furnace, R-1 Uses Permitted and Special Uses, Plot Plan, Raising and Keeping of Animals, Dog Kennels
65	11/26/2012	3.00, 25.21(C), 37.40	Home Occupations
66	10/4/2011	30.19( c)	Temporary Signs and Approval
67	5/25/2012	3.00,6.14, 10.10, 10.11, 11.10, 11.11,12.10,25.20,25.21, 37.50	Cabin/campground definitions, R-1Special Use, A-1 Permitted Uses, RC-1 Permitted Uses, building sizes, Site plan, commercial campgrounds, private family campgrounds
68	4/9/2017	8.13, 12.11	C-1 side Yard, and remove 25 feet from special circumstances
69	7/28/2017	8.11, 12.10, 12.10A, 12.10D, Article 15, Article 26 (elimination of Sound Regulations; article number reserved for future use), Article 36	C-1 and V building sizes and yards, building sizes and yards applicable to all districts, min dwelling size, setbacks, Sanitation Requirements, Repeal sound regs., Mobile Home park standards,
70	7/28/2017	2.10,2.11,2.12,2.13	Purpose, Scope, Interpretation
71	9/15/2017	Article 8, Article 9	Updated Article 8 and 9

AMENDMENT #	EFFECTIVE DATE	SECTIONS AMENDED	DESCRIPTION
72	1/26/2018	Article 3, 17.10, 17.11, 17.12, 17.13, 17.14, 17.15, 17.16, 17.17, 19.10, 19.11, 19.12, 19.13	Updated Definitions, Update3 Administration Provisions, Amendment Procedures, Costs
73	6/28/2019	6.10, 6.11, 6.12, 6.13, 7.01, 7.10, 7.11, 7.12, 7.13, 7.14 (deleted), 7.50, 7.51, 7.61, 7.62, 7.63, Article 14 heading, 14.10, 14.11	R-1 Intent, Permitted Uses in R-1, R-2 Permitted Uses and Special Uses, Lot Sizes, Water Front Property, Boardman River Valley,
74	6/28/2019	6.01, 6.10, 6.11, 6.12, 6.13, 6.14 (deleted)	R-1 Permitted Uses, Special Uses, Building Sizes, Supplementary Standards
75	Not Adopted		
76	Not Adopted	-	
77	11/27/2019	Article 3, Article 27.	3.00 (add definition of Accessory Building), 27.00 (elimination of Environmentally Sensitive Areas regulations; article number reserved for future use)
78	3/28/2021		
79	Not Adopted		
80	Not Adopted		
81	11/11/2021	Section 25.22C.	Home Occupations
82	Not Adopted		Article 25 Site Plan Review/Special Use Permit
83	Not Adopted		Preamble, Article 12, Article 14
84	10/6/2022	25.10, 25. 11 (A), 25.21	Site Plan Review, Special Use Requirements and Standards
85	Not Adopted	NA	Medical Marijuana – Articles 3, 6, 9, 10, 25.22E, 37
86	4/2/2023	Article 3 and 28	Article 3 revisions (new/revised definitions), Article 28 (revised in its entirety)



# **WHITEWATER TOWNSHIP ZONING ORDINANCE**

**WORKING DRAFT**

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# ARTICLE 1 - TITLE, PURPOSE, SCOPE

## 1.01 SHORT TITLE

This Ordinance shall be known and cited as the Whitewater Township Zoning Ordinance, and will be referred to herein as "this Ordinance."

Commented [RM1]: Same as Article 1, Section 1.00

Deleted: .

## 1.02 PURPOSE

The fundamental purpose of this Ordinance is to promote the health, safety, and general welfare of the inhabitants of the Township by:

Commented [RM2]: Same as Article II Section 2.10

- (A) Promoting the orderly development of the Township.
- (B) Encouraging the use of lands and resources of the Township in accordance with their character and adaptability.
- (C) Securing safety from fire and other dangers and providing for safety in traffic, adequacy of parking and reduction in hazards to life and property.
- (D) Facilitating the development of adequate systems of fire protection, education, recreation, water supplies and sanitary facilities.
- (E) Conserving the use of public funds for public improvement and services to conform with the most advantageous use of lands, properties and resources of the Township.
- (F) Protecting fish and wildlife resources, water quality, scenic and aesthetic qualities, historical and recreational values.
- (G) Preventing flood damages due to interference with natural drainage characteristics of rivers and streams.
- (H) Promoting the economic progress of the Township and protecting and enhancing the property values thereof.

## 1.03 SCOPE

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of law or ordinance, except as hereinafter specifically repealed, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises, or with any private restrictions placed upon property by covenant or deed; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits or by such private restrictions, the provisions of this Ordinance shall control.

Commented [RM3]: Same as Article II Section 2.11

## 1.04 SPLITTING LOTS WITHIN A RECORDED SUBDIVISION

No lot, outlot or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the standard of the district in which it exists.

Commented [RM4]: Same as Article II, Section 2.12. Except changed the title to read *Splitting Lots Within a Recorded Subdivision*, rather than *"Splitting Lots With Recorded Subdivisions"* Also, I deleted the last sentence as the Land Division Ord. should control

Deleted: The township may permit the partitioning of land into not more than four (4) parts.

## 1.05 RULES OF INTERPRETATION

The following rules are intended to clarify the intent of the standards within this Ordinance. The following shall apply, except when clearly indicated otherwise:

Commented [RM5]: Same as Article II, Section 2.13

- (A) Terms not defined shall be assumed to have the customary meaning assigned them.
- (B) Any interpretation of this Ordinance shall be defined by the Whitewater Township Zoning Board of Appeals.
- (C) The particular shall control the general.
- (D) The word "shall" is always mandatory and never discretionary. The word "may" is permissive.

- (E) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
- (F) Unless the context clearly indicates otherwise, where a regulation involves two (2) or more items, conditions, provisions or events, the terms "and," "or," "either ... or," such conjunction shall be interpreted as follows:
- (G) "And" denotes that all the items, conditions, provisions or events apply in combination.
- (H) "Or" indicates that the items, conditions, provisions or events may apply individually or in any combination.
- (I) "Township" shall refer specifically to "Whitewater Township."
- (J) The term "person" shall mean an individual, firm, corporation, association, partnership, limited liability company or other legal entity, or their agents.

#### 1.06 SEVERABILITY CLAUSE

If any clause, sentence, subsentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect. Impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subsentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

**Commented [RM6]:** This existing clause is in Article XX, Section 20.10. It is more common to place such general provisions at the beginning of the Zoning Ordinance rather than in the middle.

#### 1.07 REPEAL

All zoning ordinances and amendments, or parts of zoning ordinances inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. The repeal of existing ordinances or parts of ordinances and their amendments does not affect or impair any act done, offense committed or right accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time it was enforced, prosecuted or inflicted.

**Commented [RM7]:** Article XXIII contains one section regarding the repeal of the prior Interim Zoning Ordinance. A broader repeal clause is needed here in Article 1. Section 23.10 is removed

#### 1.08 EFFECTIVE DATE

This Ordinance and any amendments shall take effect pursuant to [Article XX](#), and Public Act 110 of 2006 as amended and upon passage by Township Board.

**Commented [RM8]:** Article XXII, Section 22.10 contains the statement that... "This Ordinance shall take immediate effect upon passage by the Township Board." This section is inconsistent with MZEA, and it needs to be corrected. Section 22.10 is to be removed The green text will be a hyperlink later.

## ARTICLE 2 - DEFINITIONS

### 2.01 DEFINITIONS

For the purposes of this ordinance, the following definitions apply.

**ACCESSORY BUILDING:** A supplemental building or structure located on the same lot as the primary building or where a primary use is being established.

**ACCESSORY USE:** A use naturally incident to and subordinate to the main use of the land or building.

**ADULT FOSTER CARE FACILITIES:** A governmental or nongovernmental establishment having as its principal function the receiving of adults for foster care. Subject to Michigan Public Act 218 of 1979 as amended, adult foster care facilities include facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include a nursing home, home for the aged, hospital, hospital for the mentally ill, facility for the developmentally disabled, county infirmary, childcaring institution, an establishment commonly described as an alcohol or substance abuse rehabilitation center, a residential facility for persons released from or assigned to an adult correctional institution, and any other use excluded under Act 218 of 1979 as amended.

**AGRICULTURAL COOLING PAD:** The area and its related equipment where crops, cherries in particular, are collected, temporarily stored, and rinsed with water to lower the temperature and prepare the crop for transport and processing.

**AGRICULTURAL PREMISES:** A premises used or occupied for the cultivation of field crops, truck crops, nurseries, orchards, greenhouses, woodlots, pastures, husbandry of livestock, poultry or small animals, or any activities of a similar nature.

**AGRICULTURAL STAGING AREA:** An area where trucks, transport equipment, harvesting coordination, and assembly and loading of agricultural products takes place related to the logistics of harvesting and transporting agricultural crops.

**BED AND BREAKFAST:** A single family residential structure that meets all of the following criteria:

- Has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper, 1 or more of which are available for rent to transient tenants.
- Serves meals at no extra cost to its transient tenants.
- Has a smoke detector in proper working order in each sleeping room and a fire extinguisher in proper working order on each floor.

**BILLBOARD:** A sign structure generally available for lease or rent, although sometimes owned by the user, intended to support an off-premises business. Commercial Outdoor Advertising and Outdoor Advertising are other terms commonly applied to larger billboards.

**BUILDING:** A structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or property.

**BUILDING COVERAGE:** The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a permanent foundation on a lot.

**BUILDING FOOTPRINT:** The area of land occupied by the foundation of a building and does not include appurtenances like decks unless they are on a permanent foundation.

**Commented [RM9]:** New Definition. Adult Foster Care Facilities are allowed in Res Districts – but a definition is missing. The Michigan Zoning Enabling Act (125.3206) requires that AFC homes (a state-licensed residential facility) be treated as a residential use of property for the purposes of zoning and a permitted use in all residential zones.

**Deleted:** **BED AND BREAKFAST ESTABLISHMENT:** A private residential dwelling in which the owner provides overnight accommodations and breakfast to transient guest for compensation.¶

**Commented [RM10]:** Better to use MCL Definition 125.1504b for a B&B. It is much more specific and clearer

**Commented [RM11]:** Note – all Signage definitions and regulations must be reviewed according to Reed/Gilbert. This should be done after this Zoning Clarification Project.

**Commented [RM12]:** Need a definition for Building Coverage to support Section 12.11. Building Coverage is not the same as building footprint. Building Coverage applies to all buildings on a lot. "Building Footprint" refers to a single building.

**Commented [RM13]:** Removed the term "Footprint" (later in the definitions) and replaced it with "Building Footprint." The term "Building Footprint" is used in Table 12.11 currently.



**BUILDING HEIGHT:** The building height is the vertical distance measured from the finished grade level to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridges of gable, hip and gambrel roofs. Where the building may be situated on sloping terrain, this height shall be measured from the highest finished grade at the building wall.

**BUFFER STRIP:** A strip of land reserved or used for plant material, berms, walls, or fencing to serve as a visual and/or sound barrier between properties, often required between properties in different zoning districts.

**CABIN:** A simple housing structure providing temporary accommodation for recreational purposes.

**CAMPGROUND, COMMERCIAL:** A campground owned and operated expressly for the purpose of renting space in the campground on a transient basis for profit to the general public. A campground owned and operated by a non-profit organization for the exclusive temporary use and enjoyment of its members shall also be considered a commercial campground.

**CAMPGROUND, PRIVATE FAMILY:** Parcels of land owned and operated exclusively for the temporary use and enjoyment of those sharing in the ownership of the parcel, their invited guests and are not for remuneration.

**CONDOMINIUM CONVERSION:** Any property or group of properties whose form of ownership is changed to condominium units from another form of ownership. A condominium conversion also refers to a condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under section 71 of the Condominium Act 59 of 1978.

**CONDOMINIUM UNIT:** That portion of a condominium project or site condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a "condominium unit" also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot" for purposes of determining compliance of a site condominium subdivision with provisions of this Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage, and maximum floor area ratio.

**CONDOMINIUM PROJECT:** A plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Public Act 59 of 1978). The term "condominium project" is also defined as being synonymous with term "condominium development" herein.

**COMMERCIAL PREMISES:** A premises used or occupied for transportation, retail sales or service businesses, wholesale sales facilities, apartments, hotels, motels, or commercial recreation.

**COMMUNITY IMPACT STATEMENT:** An assessment of the developmental, ecological, social, economic and physical impacts of a project on the natural environment and the physical improvements on and surrounding the development site. Information required for compliance with other ordinances shall not be required to be duplicated in the Community Impact Statement.

**CORRIDOR OVERLAY PLANNED UNIT DEVELOPMENT (COPUD):** A corridor overlay zone which employs the methods and techniques of a planned unit development.

**CUL-DE-SAC:** A circular vehicular turn-around at the end of a private road or easement.

**DEED RESTRICTION:** A restriction on a property that is recorded as part of a deed with the County Register of Deeds. A deed restriction is binding on subsequent owners and enforced by the parties to the agreement.

**DOMESTIC PETS:** Dogs, cats and other animals customarily housed within a dwelling.

**Deleted: ¶**  
**CONDOMINIUM PROJECT:** Means a plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Act 59, 1978).¶

**Commented [RM14]:** Definitions for condominium project and conversion were updated in Amendment #86. These amendments are part of the ZO now – but are shown as changes as they differ from the printed ZO the P C members have.

**DWELLING:** Any building or structure or portion thereof legally occupied as the home, residence, or sleeping place of one or more persons.

**MULTIPLE FAMILY DWELLING:** A building, structure, or portion thereof used or designed as a residence for three (3) or more families living independently of each other and independently doing their own cooking in said building. This definition includes three-family houses, four-family houses and apartments, but does not include trailer camps or mobile home parks.

**SINGLE FAMILY DWELLING:** A building, structure, or portion thereof containing not more than one dwelling unit designed for residential use and attached to a permanent foundation, except where hereinafter exempt.

**TEMPORARY DWELLING:** A building, structure, or portion thereof that is intended to be used on a temporary basis, has some of the facilities of a conventional dwelling, and is used in conjunction with the construction of a permanent residence.

**TWO FAMILY DWELLING:** A building, structure, or portion thereof designed for or occupied exclusively by two families living independently of each other and attached to a permanent foundation, except where hereinafter exempt.

**EASEMENT:** A grant of one or more of the property rights by a property owner to and/or for use by the public, or another person or entity.

**EQUIPMENT:** Tangible property, excluding land, buildings, and vehicles, that is used in the operations of a business or completion of a task.

**EXISTING BUILDING:** A building existing or for which the foundations are in place or upon which there has been substantial work done prior to the effective date of this Ordinance or any amendment thereto.

**EXISTING USE:** A use of premises or buildings or structures actually in operation, openly, visibly and notoriously prior to the effective date of this Ordinance or any amendment thereto.

**FARM MARKET** – A farm market is a year-round or seasonal location where transactions and marketing activities between farm market operators and customers take place. A farm market may be a physical structure such as a building or tent, or simply an area where a transaction between a customer and a farmer is made. The farm market does not have to be a physical structure. The farm market must be located on property owned or controlled (e.g., leased) by the producer of the products offered for sale at the market. Fresh products as well as processed products may be sold at the farm market. At least 50 percent of the products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50 percent of the product's primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.

**FENCE:** A fence is a structure usually constructed from posts that are connected by boards, wire, rails or netting enclosing an area of ground to mark a boundary, control access, prevent escape, or provide a decorative feature.

**FLOOR AREA:** The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages or space used for off-street parking or loading, breezeways, enclosed and unenclosed porches, elevator or stair bulkheads, and accessory structures.

**GREENBELT:** An area of grass, trees and other natural vegetation between a structure or parking area

**Commented [RM15]:** A new definition was added to relate to Farm Stand in A-1. This term is defined in the Michigan Commission of Agriculture & Rural Development GAAMPS. The term Roadside stand is also used in A-1 (however it is not defined).

Suggest that we add this definition to be consistent with the GAAMPS for Farm Markets and revisit it later to sort out the need to define Farm Markets and Roadside Stands separately.

**Deleted: ¶**  
**FENCE, RESIDENTIAL STANDARDS: ¶**

1. Fences shall have the finished side facing outward away from the property in which it is located.¶
2. No fence shall be erected within the 50-foot setback of any lakes, rivers, streams.¶
3. Fences shall not exceed a height of 6 feet.¶
4. Prohibited fences include barbed wire, electric charges, or fences with sharp materials located on top.¶

**¶**  
**FOOTPRINT:** The area of land occupied by the foundation of a building and does not include appurtenances like decks unless they are on a permanent foundation.¶

**Commented [RM18]:** Added a new definition for Floor Area. Floor Area and Building Footprint are different measurements. Floor area is referenced in Article 12

and a public thoroughfare.

**HAMMERHEAD TURNAROUND:** A T-shaped vehicular turnaround at the end of a road or easement.

**HAZARDOUS SUBSTANCES AND POLLUTING MATERIALS:** Hazardous substances and polluting materials shall mean hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan State Police Fire Marshal Division; critical materials, polluting materials and hazardous waste as defined by the Michigan Department of Natural Resources; hazardous substances as defined by the U.S. Environmental Protection Agency, and hazardous materials as defined by the U.S. Department of Transportation.

**HIGHWAY:** Any public thoroughfare in Whitewater Township, including federal and state roads and highways.

**HOME OCCUPATIONS:** An occupation or business activity located within a residential dwelling or in an accessory building which is clearly subordinate to the principal residential use.

**IMPLEMENT:** A tool or an instrument used in doing work.

**INSTITUTIONAL PREMISES:** Shall be interpreted to include such premises or portions thereof upon which is situated a public utility or other publicly owned, operated, or administered facility, any public, private or commercial vocational school, a cultural facility, including a museum, library or auditorium, or a religious or charitable facility.

**LAND DIVISION:** Creation of a new lot or parcel.

**LOT:** A parcel of land separated from other parcels of land by description on a recorded plat or by metes-and-bounds description which meets the requirements of this Ordinance, a condominium unit in a site condominium which meets the requirements of this Ordinance, a common area or element in a condominium project, a condominium unit.

**CORNER LOT:** Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. Corner lots, for the purpose of setbacks, shall have two front lot lines and two side lot lines.

**INTERIOR LOT:** A lot which has only one lot line or portion thereof fronting on a street.

**LOT AREA:** The area of the horizontal plane within the lot lines of a lot, exclusive of the area of any public or private road right-of-way adjoining any portion of the lot. Lot area is also defined as only including land unbroken by any road, street, or thoroughfare.

**LOT DEPTH:** The average horizontal distance between the front and rear lot lines, measured along the average midpoint between side lot lines.

**LOT FRONTAGE:** The length of the front lot line.

**LOT OF RECORD:** A tract of land which is part of a subdivision shown on a plat or map which has been recorded in the Office of the Register of Deeds for Grand Traverse County, Michigan; or a tract of land described by metes-and-bounds which is the subject of a deed or land contract which is likewise recorded in the Office of the Register of Deeds.

**LOT WIDTH:** The horizontal distance between side lot lines measured at the required front setback.

**Deleted:** a lake or

**Commented [RM19]:** New Definition. Presently, there is no definition of how lot area is computed. Also added the provision for lot area as not including land that is broken by roads here (now appears in 12.11)

**Deleted:** inclusive of land that is

**Deleted:** throughfare

**Deleted: LOT WIDTH:** The average horizontal distance between the side lot lines measured perpendicular to the average depth, especially on irregularly shaped lots.

**Commented [RM20]:** Need a better definition of lot width



**NONCONFORMING LOT:** A lot of record which does not meet the requirements of this Ordinance.

**THROUGH LOT** (also called a double frontage lot): An interior lot having frontage on two (2) more or less parallel streets.

**LOT LINES:** The property lines bounding a lot or parcel.

**FRONT LOT LINE:** The line separating a lot from any street right-of-way, private road or other access easement. In the case of a waterfront lot, the line which fronts on a navigable waterway shall be a front lot line. Corner lots, for the purpose of setbacks, shall have two front lot lines and two side lot lines.

**REAR LOT LINE:** The line opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot or parcel, an imaginary line ten (10) feet in length entirely within the lot or parcel, parallel to and at a maximum distance from the front line.

**SIDE LOT LINE:** Any lot line other than a front or rear lot line.

**ZERO LOT LINE:** The location of a building on a lot in such a manner that one or more of the building's sides rest directly on or adjacent to a lot line.

**MANAGED VEGETATIVE STRIP:** A natural vegetative area extending along both sides of rivers, streams or watercourses, containing native trees, shrubs and other vegetation and natural materials. The purpose of the managed vegetative strip is to stabilize the river banks, prevent erosion, absorb nutrients in water runoff from adjacent lands, provide shading for the stream to maintain cool water temperatures, and screening of adjacent man-made structures.

**MANUFACTURED HOME:** A dwelling unit constructed primarily within a factory in modules or components, which are then transported to a site where they are assembled on a permanent foundation to form a dwelling, and meet all codes and regulations applicable to conventional home construction.

**MASTER DEED:** The document recorded as part of a site condominium subdivision to which are attached as exhibits, and incorporated by reference, the approved bylaws for the site condominium subdivision and the site condominium subdivision plan.

**MOBILE HOME:** A structure, with a title issued by the State of Michigan, that is approved by the U.S. Department of Housing and Urban Development (HUD), and can be moved in one (1) or more sections, which is built on a chassis and designed as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, and electrical systems. "Mobile home" does not include a recreational vehicle or recreational trailer but shall include HUD housing.

**MOBILE HOME OR MANUFACTURED HOME CONDOMINIUM PROJECT:** A condominium project in which mobile homes or manufactured homes are located upon separate sites which constitute individual condominium units.

**MOBILE HOME PARK, TRAILER COACH PARK, OR PARK:** Any parcel or tract of land under the control of any person, upon which three (3) or more occupied trailer coaches are harbored on a continual basis, or which is offered to the public for that purpose, regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the harboring or occupancy of trailer coaches; except as provided by Section 91, Public Act 172 of 1970.

**MOBILE HOME SUBDIVISION:** A subdivision approved under the Land Division Act (Public Act 288 of 1967), as amended, which by deed restriction has been designated solely for occupancy by mobile homes, HUD, or similar housing.

Deleted: ¶

Deleted: **MOBILE HOME CONDOMINIUM PROJECT:** A condominium project in which mobile homes are located upon separate sites which constitute individual condominium units.¶

Commented [RM21]: Definitions for Mobile Home Condominium Project were updated in Amendment #86

**MODULAR HOUSING UNIT:** See Manufactured Home.

**NATURAL FEATURES:** Natural features shall include soils, wetlands, floodplain, water bodies, sand dunes, topography, vegetative cover and geologic formations.

**NONCONFORMING USE:** A use which lawfully occupied a structure or site prior to the effective date of this Ordinance or any amendment thereto, and which does not conform with the current use regulations of the district in which it is located.

**NONCONFORMING STRUCTURE:** A structure lawfully existing prior to the effective date of this Ordinance or any amendment thereto, which does not meet the current zoning ordinance standards for building size or location on a lot for its use and district.

**NUISANCE:** An offensive, annoying, unpleasant, or obnoxious thing or practice, especially when constant or repetitive. A condition which is perceivable and extends its effect upon neighbors across property lines by the generation of excessive noise, odors, trash, abnormal traffic, congregation of people (particularly at night), or other similar conditions.

**ORDINARY HIGH-WATER MARK:** The point on the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.

**OUTDOOR DISPLAY AREA:** An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service.

**OUTDOOR INVENTORY AREA:** A designated outdoor area designed to allow for storage of excess inventory in a manner not visible to the public.

**OUTDOOR SALES AREA:** The display and sale of products and services outside of a building or structure, including vehicles, garden supplies, gas, motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and similar materials or items.

**PARCEL:** A lot described by metes and bounds or described in a recorded plat.

**PLANNED UNIT DEVELOPMENT (PUD):** A piece of property developed as a separate neighborhood or community unit. This form of development is based on an approved site plan and allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, open spaces, and other various land uses.

**PLAT:** A map of a subdivision of land.

**PLOT PLAN:** The documents and drawings normally consisting of a drawing of the subject lot or parcel of land together with an outline drawing of the proposed structure(s) or modification(s), including all porches, extensions and roof overhangs, showing the principal dimensions of the structure(s) and all setback distances measured perpendicular to all lot lines. The documents and drawings shall bear the name, address and telephone number of the landowner and applicant, and the date of the application.

**PREMISES:** A unit of contiguous real property under common ownership.

**PRIMARY or PRINCIPAL BUILDING:** A building which houses the main or principal use of the lot on which it is located. All other buildings are accessory structures.

**PRIMARY OR PRINCIPAL USE:** The main use to which the lot or premises are devoted. For example,

Commented [RM22]: High Water should be hyphenated.

Deleted: **OUTDOOR DISPLAY AREA:** A designated outdoor area used for the display of merchandise visible to the public.¶

Commented [RM23]: Improve definition of Outdoor Display Area

Commented [RM24]: Add definition of Outdoor Sales Areas. Outdoor sales, display, and inventory areas could all be different things

the main use of a single-family home is residential, and the main use of a retail store is commercial.

**RECREATIONAL PREMISES:** A premises used or occupied for recreational purposes, including parks, play areas, indoor or outdoor swimming pools, bathing beaches, boating and fishing areas, winter recreational areas, nature study areas, community halls and fairgrounds.

**RECREATIONAL UNIT:** A vehicular structure, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreational units shall include travel trailers, camping trailers, motor homes, truck campers, slide-in campers and chassis-mounted dwellings.

**SIGN:** Any words, lettering, figures, numerals, phrases, sentences, emblems, devices, designs, trademarks, or combination thereof, by which anything is made known, such as the designation of an event, a firm, a profession, a business or product, which are visible from any street or road and used as an outdoor display.

**Commented [RM25]:** Note – all Signage definitions and regulations will need to be reviewed pursuant to Reed v. Gilbert

**SIGN STRUCTURE:** A permanent physical structure on a fixed footing, foundation, column or base designed or used for the support and/or illumination of a sign.

**SITE CONDOMINIUM SUBDIVISION:** A division of land on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act, Public Act 288 of 1967, as amended, but is subject to the requirements of the Condominium Act, Public Act 59 of 1978, as amended.

**SITE CONDOMINIUM SUBDIVISION PLAN:** The drawings attached to the master deed for a site condominium subdivision which describes the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the site condominium subdivision, as well as the nature, location and size of common elements.

**SITE PLAN:** A plan drawn to scale showing proposed uses and structures for a parcel of land, including any details necessary to illustrate the final proposed use. A site plan may include elements such as the location of lot lines, the location of buildings, open spaces, parking, landscaping, and utility lines.

**SPECIAL USES:** Special uses are those uses which are not essentially incompatible with the uses permitted in a zoning district but require individual review and standards to avoid conflict with adjacent uses of land.

**SPECIAL USE PERMIT:** A permit issued by the Planning Commission following a public hearing which allows a specific activity in and on a property with additional specified requirements or provisions.

**STRUCTURE:** A structure is any production or piece of material artificially built up or composed of parts joined together in some definite manner; any construction, including dwellings, garages, building, mobile homes, signs and sign boards, tower, poles, antennae, stand pipes or other like objects, but not including fences.

**VARIANCE:** A variance is a modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals under qualifying circumstances.

**VEHICLE:** A device or structure for transporting persons or things; a conveyance.

**YARD:** The space surrounding a structure.

**FRONT YARD:** The space extending across the full width of the lot between the front of the principal building and the front lot line.

**REAR YARD:** The space extending across the full width of the lot between the back of the



principal building and the rear lot line.

**SIDE YARD:** The space between a principal building and side lot line, extending from the front yard to the rear yard.

**ZONING ADMINISTRATOR (ZA):** The officer and/or his duly appointed deputies, agents, employees and inspectors charged with the administration and enforcement of this Ordinance.

## ARTICLE 3 - ZONING MAP AND DISTRICTS

### 3.01 ZONING DISTRICTS ESTABLISHED

For the purpose of this Ordinance, Whitewater Township is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names, and shall have boundaries as delineated on the Official Zoning Map.

R-1 Residential  
R-2 Residential  
R-3 Residential  
RC- Recreational  
A-1 Agricultural  
C-1 Commercial  
N- Industrial  
V – Village  
COPUD Corridor Overlay PUD  
PUD Planned Unit Development  
MHP Manufactured Home Park

### 3.02 ZONING MAP

The boundaries of the zoning districts are defined and established on the Official Zoning Map of Whitewater Township which is a part of this Ordinance. This map is identified by the signature of the township supervisor, attested to by the township clerk, and bearing the statement that this is the “Official Zoning Map of Whitewater Township” with an effective date. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map and include the dates of any amendments made thereon.

### 3.03 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, to the Zoning Board of Appeals. The Zoning Board of Appeals, in arriving at a decision on such matters, shall apply the following standards:

- (A) Boundaries indicated as approximately following roads or highways shall be construed as following the right-of-way center lines of said roads or highways.
- (B) Boundaries indicated as approximately following section lines, quarter-section lines, quarter-quarter section lines, or lot lines shall be construed as following such lines.
- (C) Boundaries indicated as approximately following Township boundary lines shall be construed as following such boundary lines.
- (D) Boundaries indicated as approximately following railroad lines shall be considered midway between the main tracks.
- (E) Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as parallel thereto and at such distance as indicated on the Official Zoning Map. If no distance is given, such dimension shall be determined by using the scale shown on the Official Zoning Map.
- (F) Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines, and in the event of a change in the shorelines shall be construed as moving with the actual shorelines; boundaries indicated as approximately following the thread of streams,

*Commented [RM26]: This is a new Article created to define zoning Districts in Whitewater Township. It recognizes and defines an official zoning map depicting zoning districts' boundaries. It also provides rules for the interpretation of the map. The Zoning Map is made a part of this ordinance. Existing legal descriptions provided later have been removed so that there is only one source of information concerning the limits of zoning districts.*

*Commented [RM27]: New Section establishing the Zoning Districts as illustrated on the zoning map used by Whitewater Township (see 2015 Master Plan and map on WWT website).*

*Commented [RM28]: This new language directly connects the written Zoning Ordinance with the Official Zoning Map. We will need to add this language to the zoning map (along with a scale)*

- (G) canals, or other bodies of water shall be construed to follow such threads.  
Where the application of the aforesaid rules leaves reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern.

**Commented [RM29]:** *New section that addresses interpretation of zoning district boundaries.*



## ARTICLE 4 - USE REGULATIONS AND PRIMARY DIMENSIONAL REQUIREMENTS

**Commented [RM30]:** This Chapter will reorganize Articles V- XII into a single, more easily read Article. It contains existing permitted and special uses and existing primary dimensional requirements.

### 4.01 ZONING DISTRICT REGULATIONS

Except as may otherwise be provided in this ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of, or addition to an existing use, building, and structure occurring after the effective date of this ordinance shall be subject to all regulations of this ordinance applicable in the zoning district in which such use, building, or structure is located.

**Commented [RM31]:** New Material

### 4.02 PRINCIPAL USE REGULATIONS

This Article identifies the principal land uses permitted in each of the zoning districts. No land use shall be established on a lot or parcel except in conformance with the use regulations provided herein. In order to minimize potential land use conflicts and advance other purposes as described in Article I, land uses permitted in a particular Zoning District are defined as being a "Use Permitted by Right" or a "Special Land Use" as described hereunder.

- (A) **Uses Permitted by Right:** Uses permitted by right are the primary uses and structures specified for which the district has been established. The Zoning Administrator may approve proposed uses and related structures if all other development standards and requirements contained in this ordinance are met
- (B) **Special Land Uses:** Special land uses are uses and structures generally regarded as reasonably compatible with the uses permitted by right in a zoning district but could also present potential land use conflicts or are otherwise unique in character. According to Article XX, such special uses require special consideration concerning potential impacts on adjacent properties and the Township as a whole.

**Commented [RM32]:** New Material

### 4.03 ACCESSORY USE REGULATIONS

Accessory uses are incidental to and customarily associated with the principal use of the property, are permitted in all Districts, and shall conform to all applicable standards of this Ordinance (See Section XX).

**Commented [RM33]:** We will need to reference a later section that deals with accessory uses buildings. Now is is Article IV

### 4.04 RESIDENTIAL R-1 – INTENT

It is the intent of the Residential District R-1 to provide a dedicated space for residential structures, specifically Single-Family Dwellings, and the structures and uses typically associated with a residential area.

**Commented [RM34]:** Same as 6.01

**Commented [RM37]:** Same as 6.10 and 6.11

Note that existing provisions 6.12 and 6.13 are largely redundant with other sections and are removed.

All development standards are moved to the DIMENSIONAL REQUIREMENTS TABLE.

Also, note changes to Church sizes to reflect a better definition of building size. The building footprint is now a defined term.

- (A) R-1 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. Single-Family Dwellings,</li> <li>2. Publicly owned and operated parks and recreational facilities.</li> <li>3. The keeping of animals for home use and enjoyment subject to all applicable requirements of (Section X.X)</li> <li>4. Adult foster care facilities serving 6 or less individuals.</li> <li>5. Family day-care homes serving 6 or less individuals.</li> <li>6. Churches with a building footprint less than 5,000 square feet.</li> <li>7. Home occupations subject to the requirements of (Section X.X)</li> <li>8. Accessory buildings and uses customarily incidental to the same (See Section X.X).</li> </ol>	<ol style="list-style-type: none"> <li>1. Bed and Breakfast Establishments.</li> <li>2. Schools.</li> <li>3. The keeping, breeding or training of dogs for monetary gain or for profit, subject to all applicable requirements of Article X.X</li> <li>4. Adult foster care facilities serving more than 6 individuals.</li> <li>5. Family day-care homes serving more than 6 individuals.</li> <li>6. Group day-care homes serving more than 6 individuals.</li> <li>7. Churches with a building footprint that is 5,000 square feet or more.</li> <li>8. Planned Unit Developments.</li> </ol>

Deleted: Supplementary provisions

Commented [RM35]: Clarify that we are talking about building footprint

Deleted: <#>Churches under 5,000 square feet in area.¶

Deleted: <#>that is

Deleted: <#>Churches 5,000 square feet or greater in area.¶

Commented [RM36]: Add reference to Accessory Use and Buildings Section.

#### 4.05 RESIDENTIAL R-2 – INTENT

It is the intent of the Residential District R2 to provide a dedicated space for residential structures, specifically, single and two-family dwellings, and accessory structures incidental thereto.

##### (A) R-2 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted by right in the Residential District R-1.</li> <li>2. Two-family dwellings.</li> <li>3. Schools.</li> <li>4. Farming of all types, subject to the requirements of (Section X.X)</li> <li>5. Libraries.</li> </ol>	<ol style="list-style-type: none"> <li>1. All special uses permitted and as regulated in the Residential District R-1.</li> <li>2. Planned Unit Developments.</li> <li>3. Residential Care Facilities, Convalescent or Nursing Homes.</li> </ol>

Commented [RM38]: Same as 7.01

Commented [RM39]: Same as 7.10, 7.11

7.12 is not needed

All development standards are moved to the DIMENSIONAL REQUIREMENTS TABLE.

Deleted: Article 37, Supplementary Provisions. ¶

#### 4.06 RESIDENTIAL R-3 – INTENT

It is the intent of the Residential District R-3 to provide a dedicated space for residential structures, specifically multi-family dwellings, townhouses, apartments, and other compatible uses.

##### (A) R-3 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted by right in Residential District R-2.</li> </ol>	<ol style="list-style-type: none"> <li>2. All special uses permitted and as regulated in the Residential District R-2.</li> <li>3. Multi-family dwellings such as townhouses and apartments.</li> </ol>

Commented [RM40]: Same as 7.51

Deleted: townhouse

Commented [RM41]: Same as 7.60 and 7.61

Note there is a conflict between Muni-code Document and printed version of the ZO. Muni-code does not list uses permitted by right.

Also note that the R-3 is created for multi-family dwellings, but only allows them as Special Uses.

7.62 and 7.63 are largely redundant with other sections and are removed.

All development standards are moved to the DIMENSIONAL REQUIREMENTS TABLE.

Deleted: dwelling

#### 4.07 COMMERCIAL C – INTENT

The purpose of the Commercial C District is to provide a location for a diversity of small and moderate scale business types and is situated along a regional arterial roadway, M-72, to serve local passers-by traffic and local needs.

##### (A) C Use Regulations

Commented [RM42]: All development standards are moved to the DIMENSIONAL REQUIREMENTS TABLE. 4-1

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted in Residential District R1, R2.</li> <li>2. Restaurants, bakeries, coffee shops, and diners.</li> <li>3. Office buildings and uses such as: accountants, legal services, medical, dental, and physical therapy offices.</li> <li>4. Financial institutions.</li> <li>5. Retail stores and shops; food, drug, variety, dry goods, clothing, music, hardware, equipment, and other similar light retail uses.</li> <li>6. Equipment, tool, and event rental establishments.</li> <li>7. Personal service establishments which perform services on the premises, such as: barber and beauty shops, shoe repairs, business services, printing, publishing, and related trades.</li> <li>8. Places of public assembly, religious, civic, and social facilities not operated for profit and facilities customarily incidental thereto.</li> <li>9. Licensed daycare facilities.</li> <li>10. Assisted living, extended care, and licensed group <u>home</u> facilities.</li> <li>11. Essential service, including public utility buildings with outside storage.</li> </ol>	<ol style="list-style-type: none"> <li>1. Any permitted use located in a building <u>with a building footprint of 10,000 square feet or more, includes</u> drive-through services, offers live entertainment, or serves alcoholic beverages.</li> <li>2. Retail sales and/or rental of automobiles, watercraft, farming equipment, or recreational equipment, including servicing, repair, and/or storing vehicles.</li> <li>3. Fuel and oil service stations.</li> <li>4. Hotels and motels.</li> <li>5. Dwelling units <u>that</u> are part of a commercial unit, such as <u>second-story</u> "flats" or apartment units.</li> <li>6. Multi-family dwellings.</li> <li>7. Laundry and <u>dry-cleaning</u> establishments.</li> <li>8. Indoor and outdoor recreational facilities (e.g., miniature golf or athletic clubs).</li> <li>9. Production, processing, assembly, manufacturing or packaging of goods or materials. Such facilities may include testing, repair, storage, distribution, and sale of such products.</li> <li>10. Schools licensed or chartered by the State of Michigan and private educational institutions.</li> <li>11. Funeral homes.</li> <li>12. Veterinary clinics, veterinary hospitals, and related kennel facilities.</li> <li>13. Carpentry, plumbing, contracting, and other skilled trades.</li> <li>14. Rental storage building, with the following conditions included in the rental contracts and posted on the premises: Excluding storage of flammable liquids or gases, explosives or toxic materials.</li> <li>15. Places of public assembly, event venues, and social facilities operated for profit.</li> <li>16. Sexually oriented businesses.</li> <li>17. Billboards subject to the standards of <u>Article 4</u>.</li> <li>18. Any other use of a retail commercial nature designed primarily to serve the residents of the area and the traveling public.</li> </ol>

**Deleted:** that exceeds 10,000 square feet, includes

**Deleted:** which

**Deleted:** second story

**Deleted:** dry cleaning

**Deleted:** homes

#### 4.08 VILLAGE DISTRICT V – INTENT

The purpose of the Village District is to maintain and enhance the traditional character of the Village of Williamsburg while allowing it to develop in a manner that follows the historic pattern of rural villages in the Grand Traverse Region.

**Commented [RM43]:**

**Commented [RM44]:** Section 8.52 (A- I) was removed as it is largely redundant.

Also, note that requirements in 8.62 and 8.63 are moved to the DIMENSIONAL REQUIREMENTS TABLE.

All development standards are moved to the DIMENSIONAL REQUIREMENTS TABLE.



(B) V Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<p>1. All uses allowed in the R1, R2, R3, and C Districts in buildings with a building footprint that is less than 5,000 square feet.</p> <p>2. Apartments and offices located above commercial uses in mixed-use buildings with a building footprint that is less than 5,000 square feet.</p>	<p>1. Permitted Uses allowed in the R1, R2, R3, and C districts in buildings with a building footprint of 5,000 square feet or more.</p> <p>2. Any use in a building which exceeds 5,000 square feet, and any use which includes drive-through services, and any use offering live entertainment.</p>

Deleted: that exceed 5,000 square feet.

Commented [RM45]: Changed from "in buildings not exceeding 5,000 square feet"

Commented [RM46]: Added this Language to be consistent with other sections

Deleted: All uses allowed in the R1, R2, R3, and C Districts in buildings not exceeding 5,000 square feet.¶  
Apartments and offices located above commercial uses in mixed-use buildings.

Commented [RM48]: All development standards 9.02 & 9.12, 9.13 are moved to the DIMENSIONAL REQUIREMENTS TABLE.

**4.09 INDUSTRIAL DISTRICT N - INTENT**

It is the intent of the Industrial District to provide a dedicated location to accommodate the potential noise, outdoor storage, and increased commercial traffic common to wholesale sales and light manufacturing facilities.

(A) N Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<p>1. All uses permitted and as regulated within the Commercial, Village, and Residential Districts.</p> <p>2. Wholesale warehouses.</p> <p>3. Storage warehouses.</p> <p>4. Outside storage of earth moving and similar large equipment.</p> <p>5. Billboards, subject to the standards of Section 9.13.</p>	<p>1. Industry or business, the operation of which uses any product or by-product or other thing which may cause contamination to the water, air, or land of the area unless adequate provision is made for the disposition of such product, by-product or waste which meets the approval of the Planning Commission and shall not be offensive, objectionable, or in any way endanger public health, safety or welfare.</p> <p>2. Junk, scrap metal, or salvage yards.</p> <p>3. Stock yards, slaughterhouses, rendering plants, meat or pelt processing establishments.</p> <p>4. Establishments primarily engaged in heavy industry such as smelters, foundries, heavy industrial stamping operations.</p> <p>5. Any similar business or operation offensive or objectionable to public health, safety, or welfare.</p> <p>6. All special uses permitted within the Commercial, Village, and Residential Districts.</p>

Deleted: 9.13.

**4.10 AGRICULTURAL A-1 – INTENT**

The intent of the Agricultural District is to define areas where farming and related activities is the predominant land use.

Commented [RM49]: Note – There does not appear to be an existing language of Intent for the Agricultural District. Language provided is general to be refined after the Master Plan is done

(A) A-1 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
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<ol style="list-style-type: none"> <li>1. All uses permitted and as regulated in Residential District R- 2</li> <li>2. Farming of all types, including the construction and maintenance of migrant worker's quarters.</li> <li>3. Golf courses.</li> <li>4. Riding academies and stables, veterinarian hospitals and kennels.</li> <li>5. Roadside stands for the sale of fresh or processed fruits and vegetables, grown or produced on said property.</li> <li>5. Farm Market</li> <li>6. Agricultural dumps.</li> <li>7. Private Family Campgrounds</li> </ol>	<ol style="list-style-type: none"> <li>1. Commercial Campgrounds</li> </ol>
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**Commented [RM50]:** It is unclear if we need to define Roadside Stands. This may overlap with a Farm Market. Revisit after the Master Plan.

**Commented [RM51]:** Eliminated the extra language in 10.10 G. The new definition in Article II defines a Farm Market in a way that is consistent with MDARD and the GAAMP's.

**Commented [RM52]:** Farm Market is now a defined term. Leave Roadside stands in for now, but review more closely later.

**Commented [RM53]:** Note – There does not appear to be an existing language of Intent for the RC-1 District. The language provided is should be refined after the Master Plan is done.

#### 4.11 RECREATIONAL RC-1– INTENT

The intent of the RC-1 Recreational District is to define areas where outdoor recreation and low-density residential uses are the predominant land use.

##### (A) RC-1 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted and as regulated in Residential District R- 2.</li> <li>2. Bed and breakfast establishments providing tourist/vacation accommodations.</li> <li>3. Private Family Campgrounds</li> <li>4. Riding academies and stables, veterinarian hospitals and kennels</li> <li>5. Hydro-electric plants.</li> <li>6. State-owned conservation lands.</li> </ol>	<ol style="list-style-type: none"> <li>1. Planned Unit Developments.</li> <li>2. Commercial Campgrounds</li> </ol>

#### 4.12 PRIMARY DIMENSIONAL REQUIREMENTS

Table 4-1 contains primary dimensional requirements for each zoning district. These requirements express required spatial relationships between buildings and parcels of land, such as setbacks, lot area, and building height.

**Commented [RM54]:** This table is the same as 12.11 except that the last column, titled "land use regulated in Setbacks (see applicable zone regulations) is unclear. Under this heading are the words "yes." It is not clear what this means, so it was removed. Other special setbacks will be included in the next Chapter and linked to a particular land use/.

Added Minimum Dwelling Size to Chart (12.10 A) and rely on new definition for floor area.

**TABLE 4-1 PRIMARY DIMENSIONAL REQUIREMENTS**

Zoning District	Min. Lot Width (ft.)	Min. Lot Area (sq. ft.)	Min. Front Yard (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Max. Building Height (ft.)	Max. Building Coverage (%)	Min. Width: Max. Depth Ratio	Min. Dwelling Floor Area- each Dwelling (Sq. Ft.)
<b>R-1</b>	100	20,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>R-2 Single Family</b>	100	12,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>R-2 Two Family</b>	120	22,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>R-3 Single Family</b>	100	12,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-(9)	1:4	700
<b>R-3 Multi-Family</b>	120	11,000 per dwelling unit	30 <sup>(3) (8)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>A-1</b>	200	40,000	30 <sup>(3)(5)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>		1:4	700
<b>RC-1</b>	300	5 Ac.	30 <sup>(3)(6)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>		1:4	700
<b>C-1</b>	100	=	50 <sup>(3)(7) (8)</sup>	10 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	40% <sup>(9)</sup>		700
<b>V - With common sewage disposal or water supply.</b>	80	20,000	0 <sup>(2) (3)</sup>	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>V - With common sewage disposal and water supply</b>	50	8,000	0 <sup>(2)(3)</sup>	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>V - Without common water supply or sewage disposal</b>	100	40,000	0 <sup>(2)(3)</sup>	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	=	1:4	700
<b>N</b>	100	=	50 <sup>(3)</sup>	Total 30%, but not less than 15 ft. <sup>(3,8)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	40% <sup>(9)</sup>	1:4	700
<b>MHP</b>	300	17 Ac.				35 <sup>(1)</sup>			700

**LOTS WITH FRONTAGE ON THE BOARDMAN RIVER OR TRIBUTARIES**

- In no case shall a lot having frontage on the Boardman River or its tributaries be less 200 feet wide at the ordinary high-water mark, or have a lot depth of less than 200 feet.
- No structure shall be built within 100 feet of the ordinary high-water mark of the Boardman River or its tributaries.

**FRONTAGE ON ALL OTHER LAKES AND STREAMS**

- No structure shall be built within 50 feet of the ordinary high-water mark of all other Lakes and Streams.

**ENCLOSURES/STRUCTURES FOR LIVESTOCK, DOMESTIC ANIMALS (EXCEPT HOUSE PETS)**

- All enclosures/structures for livestock, domestic animals (except house pets) shall be located on a lot that is no less than 2 ½ acres and may not be located closer than 100 feet from any lot line.

**Footnotes**

<sup>(1)</sup> or 2 1/2 stories above grade (whichever is less)

<sup>(2)</sup> New buildings shall be constructed so that their front facades are in one of the following locations:

**Commented [RM55]:** The existing chart (12.11) contains no standards for the Village Zoning District. Instead, standards existed in 8.62 and were moved to this table to keep similar requirements together.

**Deleted:** ¶  
¶

**Deleted:** .

**Deleted:** D

**Deleted:** Structure

**Deleted:** Foot Print

**Commented [RM56]:** Changed the term maximum structure height to maximum building height. Building Height is a defined term in Article 2. Buildings and structures are different things. A structure may include cell towers, billboards, water towers, etc.

**Commented [RM57]:** Use Building Coverage term (see definitions - rather than "maximum coverage of lot which is not defined in Article 2)

**Deleted:** sq. ft.

**Deleted:** Ratio

**Deleted:** A-1

**Commented [RM58]:** No building height limit was found in the existing ordinance in the V district. 35 feet (or 2 1/2 stories above grade) was added to be consistent.

**Commented [RM59]:** No building height limit was found in the existing ordinance in the V district. 35 feet (or 2 1/2 stories above grade) were added to be consistent.

**Commented [RM60]:** No building height limit was found in the existing ordinance in the V district. 35 feet (or 2 1/2 stories above grade) was added to be consistent.

**Commented [RM61]:** The required side yard setbacks in the N District should be reviewed. A thirty percent side yard (total) may be excessive, especially for large parcels)

**Commented [RM62]:** Text is based on Footnote 2 with changes noted below.

Simplified terms related to ordinary high-water mark and depth of lot. Both terms are already defined in Article 2. Don't confuse terms and use defined terminology in Article 2. It is better to say lot depth than saying the lot has to be 200 feet deep.

Delete two standards for lot width. We should have only one to be clear. Setbacks at the ordinary high-water mark seem clearer and more straightforward.

**Commented [RM63]:** Added "(whichever is less). Currently, it just says 35 feet or 2 ½ stories. Would a building that is 2 ½ stories and 37 feet tall comply?



a. The same distance from the road as any adjacent principal building (on the same side of the road) within 100 feet, or  
b. The average distance from the road of both adjacent principal buildings (on the same side of the road) if within 100 feet, or  
c. If no principal buildings are within 100 feet on the same side of the road, the front setback shall be 15 or more feet from the front lot line or such other distance as the Planning Commission may approve by site plan review.

(3) No structure shall be built within the minimum yards required except when expressly allowed elsewhere in this Ordinance.

(4) A dock may be constructed parallel to the bank, not exceeding ten (10) feet in length.

(5) When a lot has frontage on M-72 in the A-1 Zone, the required front yard setback is 100 feet.

(6) When a lot has frontage on Supply Road, the required front yard setback is 150 feet.

(7) When a lot has frontage on Old 72 in the C-1 Zone, the required front yard setback is 30 feet.

(8) When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required front yard is 75 feet.

(9) When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the maximum building coverage is 33%

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required lot width is 100 feet.~~

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required rear yard 30 feet.~~

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required minimum width to depth ratio is 1:40~~

**Commented [RM64]:** This existing language needs to be updated to be clearer and more concise after the Master Plan is done.

**Deleted: ¶**

**Commented [RM65]:** The requirement that the dock can't protrude into the stream and must be made of natural material seems odd.

**Deleted:** . and not protruding in the stream, and when constructed of natural materials such as rocks or logs.

**Commented [RM66]:** This is existing material (last line on the existing chart - but it is meaningless as 100 foot frontage is required above in C-1, R-3 and N.

**Commented [RM67]:** These provisions are listed in the very last row of the existing chart, but are not needed as they duplicate requirements contained in the existing chart.

**Deleted: <#>HARDSHIP ¶**

No requirements contained in this Article shall prevent the use of a lot or parcel of land of lesser size, provided the same was of legal record or had been laid out by a registered surveyor prior to the effective date of this Ordinance; and provided, further, that as to any lot or parcel of land not of legal record or so laid out on the date of passage of this Ordinance, if any conditions shall create a hardship in complying with the restrictions contained in this Article, then the Planning Commission may grant deviation therefrom after first determining that the same shall not be inimical to the public health, safety or welfare.¶

# **WHITEWATER TOWNSHIP ZONING ORDINANCE**

**WORKING DRAFT**

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# **ARTICLE 1 - TITLE, PURPOSE, SCOPE**

## **1.01 SHORT TITLE**

This Ordinance shall be known and cited as the Whitewater Township Zoning Ordinance, and will be referred to herein as "this Ordinance."

## **1.02 PURPOSE**

The fundamental purpose of this Ordinance is to promote the health, safety, and general welfare of the inhabitants of the Township by:

- (A) Promoting the orderly development of the Township.
- (B) Encouraging the use of lands and resources of the Township in accordance with their character and adaptability.
- (C) Securing safety from fire and other dangers and providing for safety in traffic, adequacy of parking and reduction in hazards to life and property.
- (D) Facilitating the development of adequate systems of fire protection, education, recreation, water supplies and sanitary facilities.
- (E) Conserving the use of public funds for public improvement and services to conform with the most advantageous use of lands, properties and resources of the Township.
- (F) Protecting fish and wildlife resources, water quality, scenic and aesthetic qualities, historical and recreational values.
- (G) Preventing flood damages due to interference with natural drainage characteristics of rivers and streams.
- (H) Promoting the economic progress of the Township and protecting and enhancing the property values thereof.

## **1.03 SCOPE**

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of law or ordinance, except as hereinafter specifically repealed, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises, or with any private restrictions placed upon property by covenant or deed; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits or by such private restrictions, the provisions of this Ordinance shall control.

## **1.04 SPLITTING LOTS WITHIN A RECORDED SUBDIVISION**

No lot, outlot or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the standard of the district in which it exists.

## **1.05 RULES OF INTERPRETATION**

The following rules are intended to clarify the intent of the standards within this Ordinance. The following shall apply, except when clearly indicated otherwise:

- (A) Terms not defined shall be assumed to have the customary meaning assigned them.
- (B) Any interpretation of this Ordinance shall be defined by the Whitewater Township Zoning Board of Appeals.
- (C) The particular shall control the general.
- (D) The word "shall" is always mandatory and never discretionary. The word "may" is permissive.



- (E) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
- (F) Unless the context clearly indicates otherwise, where a regulation involves two (2) or more items, conditions, provisions or events, the terms "and," "or," "either ... or," such conjunction shall be interpreted as follows:
- (G) "And" denotes that all the items, conditions, provisions or events apply in combination.
- (H) "Or" indicates that the items, conditions, provisions or events may apply individually or in any combination.
- (I) "Township" shall refer specifically to "Whitewater Township."
- (J) The term "person" shall mean an individual, firm, corporation, association, partnership, limited liability company or other legal entity, or their agents.

## **1.06 SEVERABILITY CLAUSE**

If any clause, sentence, subsentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect. Impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subsentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

## **1.07 REPEAL**

All zoning ordinances and amendments, or parts of zoning ordinances inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. The repeal of existing ordinances or parts of ordinances and their amendments does not affect or impair any act done, offense committed or right accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time it was enforced, prosecuted or inflicted.

## **1.08 EFFECTIVE DATE**

This Ordinance and any amendments shall take effect pursuant to **Article XX**, and Public Act 110 of 2006 as amended and upon passage by Township Board.

## ARTICLE 2 - DEFINITIONS

### 2.01 DEFINITIONS

For the purposes of this ordinance, the following definitions apply.

**ACCESSORY BUILDING:** A supplemental building or structure located on the same lot as the primary building or where a primary use is being established.

**ACCESSORY USE:** A use naturally incident to and subordinate to the main use of the land or building.

**ADULT FOSTER CARE FACILITIES:** A governmental or nongovernmental establishment having as its principal function the receiving of adults for foster care. Subject to Michigan Public Act 218 of 1979 as amended, adult foster care facilities include facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include a nursing home, home for the aged, hospital, hospital for the mentally ill, facility for the developmentally disabled, county infirmary, childcaring institution, an establishment commonly described as an alcohol or substance abuse rehabilitation center, a residential facility for persons released from or assigned to an adult correctional institution, and any other use excluded under Act 218 of 1979 as amended.

**AGRICULTURAL COOLING PAD:** The area and its related equipment where crops, cherries in particular, are collected, temporarily stored, and rinsed with water to lower the temperature and prepare the crop for transport and processing.

**AGRICULTURAL PREMISES:** A premises used or occupied for the cultivation of field crops, truck crops, nurseries, orchards, greenhouses, woodlots, pastures, husbandry of livestock, poultry or small animals, or any activities of a similar nature.

**AGRICULTURAL STAGING AREA:** An area where trucks, transport equipment, harvesting coordination, and assembly and loading of agricultural products takes place related to the logistics of harvesting and transporting agricultural crops.

**BED AND BREAKFAST:** A single family residential structure that meets all of the following criteria:

- Has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper, 1 or more of which are available for rent to transient tenants.
- Serves meals at no extra cost to its transient tenants.
- Has a smoke detector in proper working order in each sleeping room and a fire extinguisher in proper working order on each floor.

**BILLBOARD:** A sign structure generally available for lease or rent, although sometimes owned by the user, intended to support an off-premises business. Commercial Outdoor Advertising and Outdoor Advertising are other terms commonly applied to larger billboards.

**BUILDING:** A structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or property.

**BUILDING COVERAGE:** The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a permanent foundation on a lot.

**BUILDING FOOTPRINT:** The area of land occupied by the foundation of a building and does not include appurtenances like decks unless they are on a permanent foundation.

**BUILDING HEIGHT:** The building height is the vertical distance measured from the finished grade level to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridges of gable, hip and gambrel roofs. Where the building may be situated on sloping terrain, this height shall be measured from the highest finished grade at the building wall.

**BUFFER STRIP:** A strip of land reserved or used for plant material, berms, walls, or fencing to serve as a visual and/or sound barrier between properties, often required between properties in different zoning districts.

**CABIN:** A simple housing structure providing temporary accommodation for recreational purposes.

**CAMPGROUND, COMMERCIAL:** A campground owned and operated expressly for the purpose of renting space in the campground on a transient basis for profit to the general public. A campground owned and operated by a non-profit organization for the exclusive temporary use and enjoyment of its members shall also be considered a commercial campground.

**CAMPGROUND, PRIVATE FAMILY:** Parcels of land owned and operated exclusively for the temporary use and enjoyment of those sharing in the ownership of the parcel, their invited guests and are not for remuneration.

**CONDOMINIUM CONVERSION:** Any property or group of properties whose form of ownership is changed to condominium units from another form of ownership. A condominium conversion also refers to a condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under section 71 of the Condominium Act 59 of 1978.

**CONDOMINIUM UNIT:** That portion of a condominium project or site condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a "condominium unit" also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot" for purposes of determining compliance of a site condominium subdivision with provisions of this Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage, and maximum floor area ratio.

**CONDOMINIUM PROJECT:** A plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Public Act 59 of 1978). The term "condominium project" is also defined as being synonymous with term "condominium development" herein.

**COMMERCIAL PREMISES:** A premises used or occupied for transportation, retail sales or service businesses, wholesale sales facilities, apartments, hotels, motels, or commercial recreation.

**COMMUNITY IMPACT STATEMENT:** An assessment of the developmental, ecological, social, economic and physical impacts of a project on the natural environment and the physical improvements on and surrounding the development site. Information required for compliance with other ordinances shall not be required to be duplicated in the Community Impact Statement.

**CORRIDOR OVERLAY PLANNED UNIT DEVELOPMENT (COPUD):** A corridor overlay zone which employs the methods and techniques of a planned unit development.

**CUL-DE-SAC:** A circular vehicular turn-around at the end of a private road or easement.

**DEED RESTRICTION:** A restriction on a property that is recorded as part of a deed with the County Register of Deeds. A deed restriction is binding on subsequent owners and enforced by the parties to the agreement.

**DOMESTIC PETS:** Dogs, cats and other animals customarily housed within a dwelling.

## **ARTICLE 2 – DEFINITIONS**

**DWELLING:** Any building or structure or portion thereof legally occupied as the home, residence, or sleeping place of one or more persons.

**MULTIPLE FAMILY DWELLING:** A building, structure, or portion thereof used or designed as a residence for three (3) or more families living independently of each other and independently doing their own cooking in said building. This definition includes three-family houses, four-family houses and apartments, but does not include trailer camps or mobile home parks.

**SINGLE FAMILY DWELLING:** A building, structure, or portion thereof containing not more than one dwelling unit designed for residential use and attached to a permanent foundation, except where hereinafter exempt.

**TEMPORARY DWELLING:** A building, structure, or portion thereof that is intended to be used on a temporary basis, has some of the facilities of a conventional dwelling, and is used in conjunction with the construction of a permanent residence.

**TWO FAMILY DWELLING:** A building, structure, or portion thereof designed for or occupied exclusively by two families living independently of each other and attached to a permanent foundation, except where hereinafter exempt.

**EASEMENT:** A grant of one or more of the property rights by a property owner to and/or for use by the public, or another person or entity.

**EQUIPMENT:** Tangible property, excluding land, buildings, and vehicles, that is used in the operations of a business or completion of a task.

**EXISTING BUILDING:** A building existing or for which the foundations are in place or upon which there has been substantial work done prior to the effective date of this Ordinance or any amendment thereto.

**EXISTING USE:** A use of premises or buildings or structures actually in operation, openly, visibly and notoriously prior to the effective date of this Ordinance or any amendment thereto.

**FARM MARKET –** A farm market is a year-round or seasonal location where transactions and marketing activities between farm market operators and customers take place. A farm market may be a physical structure such as a building or tent, or simply an area where a transaction between a customer and a farmer is made. The farm market does not have to be a physical structure. The farm market must be located on property owned or controlled (e.g., leased) by the producer of the products offered for sale at the market. Fresh products as well as processed products may be sold at the farm market. At least 50percent of the products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50 percent of the product's primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.

**FENCE:** A fence is a structure usually constructed from posts that are connected by boards, wire, rails or netting enclosing an area of ground to mark a boundary, control access, prevent escape, or provide a decorative feature.

**FLOOR AREA:** The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages or space used for off-street parking or loading, breezeways, enclosed and unenclosed porches, elevator or stair bulkheads, and accessory structures.

**GREENBELT:** An area of grass, trees and other natural vegetation between a structure or parking area

## **ARTICLE 2 – DEFINITIONS**



and a public thoroughfare.

**HAMMERHEAD TURNAROUND:** A T-shaped vehicular turnaround at the end of a road or easement.

**HAZARDOUS SUBSTANCES AND POLLUTING MATERIALS:** Hazardous substances and polluting materials shall mean hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan State Police Fire Marshal Division; critical materials, polluting materials and hazardous waste as defined by the Michigan Department of Natural Resources; hazardous substances as defined by the U.S. Environmental Protection Agency, and hazardous materials as defined by the U.S. Department of Transportation.

**HIGHWAY:** Any public thoroughfare in Whitewater Township, including federal and state roads and highways.

**HOME OCCUPATIONS:** An occupation or business activity located within a residential dwelling or in an accessory building which is clearly subordinate to the principal residential use.

**IMPLEMENT:** A tool or an instrument used in doing work.

**INSTITUTIONAL PREMISES:** Shall be interpreted to include such premises or portions thereof upon which is situated a public utility or other publicly owned, operated, or administered facility, any public, private or commercial vocational school, a cultural facility, including a museum, library or auditorium, or a religious or charitable facility.

**LAND DIVISION:** Creation of a new lot or parcel.

**LOT:** A parcel of land separated from other parcels of land by description on a recorded plat or by metes-and-bounds description which meets the requirements of this Ordinance, a condominium unit in a site condominium which meets the requirements of this Ordinance, a common area or element in a condominium project, a condominium unit.

**CORNER LOT:** Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. Corner lots, for the purpose of setbacks, shall have two front lot lines and two side lot lines.

**INTERIOR LOT:** A lot which has only one lot line or portion thereof fronting on a street.

**LOT AREA:** The area of the horizontal plane within the lot lines of a lot, exclusive of the area of any public or private road right-of-way adjoining any portion of the lot. Lot area is also defined as only including land unbroken by any road, street, or thoroughfare.

**LOT DEPTH:** The average horizontal distance between the front and rear lot lines, measured along the average midpoint between side lot lines.

**LOT FRONTAGE:** The length of the front lot line.

**LOT OF RECORD:** A tract of land which is part of a subdivision shown on a plat or map which has been recorded in the Office of the Register of Deeds for Grand Traverse County, Michigan; or a tract of land described by metes-and-bounds which is the subject of a deed or land contract which is likewise recorded in the Office of the Register of Deeds.

**LOT WIDTH:** The horizontal distance between side lot lines measured at the required front setback.

## **ARTICLE 2 – DEFINITIONS**

**NONCONFORMING LOT:** A lot of record which does not meet the requirements of this Ordinance.

**THROUGH LOT** (also called a double frontage lot): An interior lot having frontage on two (2) more or less parallel streets.

**LOT LINES:** The property lines bounding a lot or parcel.

**FRONT LOT LINE:** The line separating a lot from any street right-of-way, private road or other access easement. In the case of a waterfront lot, the line which fronts on a navigable waterway shall be a front lot line. Corner lots, for the purpose of setbacks, shall have two front lot lines and two side lot lines.

**REAR LOT LINE:** The line opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot or parcel, an imaginary line ten (10) feet in length entirely within the lot or parcel, parallel to and at a maximum distance from the front line.

**SIDE LOT LINE:** Any lot line other than a front or rear lot line.

**ZERO LOT LINE:** The location of a building on a lot in such a manner that one or more of the building's sides rest directly on or adjacent to a lot line.

**MANAGED VEGETATIVE STRIP:** A natural vegetative area extending along both sides of rivers, streams or watercourses, containing native trees, shrubs and other vegetation and natural materials. The purpose of the managed vegetative strip is to stabilize the river banks, prevent erosion, absorb nutrients in water runoff from adjacent lands, provide shading for the stream to maintain cool water temperatures, and screening of adjacent man-made structures.

**MANUFACTURED HOME:** A dwelling unit constructed primarily within a factory in modules or components, which are then transported to a site where they are assembled on a permanent foundation to form a dwelling, and meet all codes and regulations applicable to conventional home construction.

**MASTER DEED:** The document recorded as part of a site condominium subdivision to which are attached as exhibits, and incorporated by reference, the approved bylaws for the site condominium subdivision and the site condominium subdivision plan.

**MOBILE HOME:** A structure, with a title issued by the State of Michigan, that is approved by the U.S. Department of Housing and Urban Development (HUD), and can be moved in one (1) or more sections, which is built on a chassis and designed as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, and electrical systems. "Mobile home" does not include a recreational vehicle or recreational trailer but shall include HUD housing.

**MOBILE HOME OR MANUFACTURED HOME CONDOMINIUM PROJECT:** A condominium project in which mobile homes or manufactured homes are located upon separate sites which constitute individual condominium units.

**MOBILE HOME PARK, TRAILER COACH PARK, OR PARK:** Any parcel or tract of land under the control of any person, upon which three (3) or more occupied trailer coaches are harbored on a continual basis, or which is offered to the public for that purpose, regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the harboring or occupancy of trailer coaches; except as provided by Section 91, Public Act 172 of 1970.

**MOBILE HOME SUBDIVISION:** A subdivision approved under the Land Division Act (Public Act 288 of 1967), as amended, which by deed restriction has been designated solely for occupancy by mobile homes, HUD, or similar housing.

**MODULAR HOUSING UNIT:** See Manufactured Home.

**NATURAL FEATURES:** Natural features shall include soils, wetlands, floodplain, water bodies, sand dunes, topography, vegetative cover and geologic formations.

**NONCONFORMING USE:** A use which lawfully occupied a structure or site prior to the effective date of this Ordinance or any amendment thereto, and which does not conform with the current use regulations of the district in which it is located.

**NONCONFORMING STRUCTURE:** A structure lawfully existing prior to the effective date of this Ordinance or any amendment thereto, which does not meet the current zoning ordinance standards for building size or location on a lot for its use and district.

**NUISANCE:** An offensive, annoying, unpleasant, or obnoxious thing or practice, especially when constant or repetitive. A condition which is perceivable and extends its effect upon neighbors across property lines by the generation of excessive noise, odors, trash, abnormal traffic, congregation of people (particularly at night), or other similar conditions.

**ORDINARY HIGH-WATER MARK:** The point on the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.

**OUTDOOR DISPLAY AREA:** An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service.

**OUTDOOR INVENTORY AREA:** A designated outdoor area designed to allow for storage of excess inventory in a manner not visible to the public.

**OUTDOOR SALES AREA:** The display and sale of products and services outside of a building or structure, including vehicles, garden supplies, gas, motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and similar materials or items.

**PARCEL:** A lot described by metes and bounds or described in a recorded plat.

**PLANNED UNIT DEVELOPMENT (PUD):** A piece of property developed as a separate neighborhood or community unit. This form of development is based on an approved site plan and allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, open spaces, and other various land uses.

**PLAT:** A map of a subdivision of land.

**PLOT PLAN:** The documents and drawings normally consisting of a drawing of the subject lot or parcel of land together with an outline drawing of the proposed structure(s) or modification(s), including all porches, extensions and roof overhangs, showing the principal dimensions of the structure(s) and all setback distances measured perpendicular to all lot lines. The documents and drawings shall bear the name, address and telephone number of the landowner and applicant, and the date of the application.

**PREMISES:** A unit of contiguous real property under common ownership.

**PRIMARY or PRINCIPAL BUILDING:** A building which houses the main or principal use of the lot on which it is located. All other buildings are accessory structures.

**PRIMARY OR PRINCIPAL USE:** The main use to which the lot or premises are devoted. For example,

## **ARTICLE 2 – DEFINITIONS**

the main use of a single-family home is residential, and the main use of a retail store is commercial.

**RECREATIONAL PREMISES:** A premises used or occupied for recreational purposes, including parks, play areas, indoor or outdoor swimming pools, bathing beaches, boating and fishing areas, winter recreational areas, nature study areas, community halls and fairgrounds.

**RECREATIONAL UNIT:** A vehicular structure, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreational units shall include travel trailers, camping trailers, motor homes, truck campers, slide-in campers and chassis-mounted dwellings.

**SIGN:** Any words, lettering, figures, numerals, phrases, sentences, emblems, devices, designs, trademarks, or combination thereof, by which anything is made known, such as the designation of an event, a firm, a profession, a business or product, which are visible from any street or road and used as an outdoor display.

**SIGN STRUCTURE:** A permanent physical structure on a fixed footing, foundation, column or base designed or used for the support and/or illumination of a sign.

**SITE CONDOMINIUM SUBDIVISION:** A division of land on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act, Public Act 288 of 1967, as amended, but is subject to the requirements of the Condominium Act, Public Act 59 of 1978, as amended.

**SITE CONDOMINIUM SUBDIVISION PLAN:** The drawings attached to the master deed for a site condominium subdivision which describes the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the site condominium subdivision, as well as the nature, location and size of common elements.

**SITE PLAN:** A plan drawn to scale showing proposed uses and structures for a parcel of land, including any details necessary to illustrate the final proposed use. A site plan may include elements such as the location of lot lines, the location of buildings, open spaces, parking, landscaping, and utility lines.

**SPECIAL USES:** Special uses are those uses which are not essentially incompatible with the uses permitted in a zoning district but require individual review and standards to avoid conflict with adjacent uses of land.

**SPECIAL USE PERMIT:** A permit issued by the Planning Commission following a public hearing which allows a specific activity in and on a property with additional specified requirements or provisions.

**STRUCTURE:** A structure is any production or piece of material artificially built up or composed of parts joined together in some definite manner; any construction, including dwellings, garages, building, mobile homes, signs and sign boards, tower, poles, antennae, stand pipes or other like objects, but not including fences.

**VARIANCE:** A variance is a modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals under qualifying circumstances.

**VEHICLE:** A device or structure for transporting persons or things; a conveyance.

**YARD:** The space surrounding a structure.

**FRONT YARD:** The space extending across the full width of the lot between the front of the principal building and the front lot line.

**REAR YARD:** The space extending across the full width of the lot between the back of the



principal building and the rear lot line.

**SIDE YARD:** The space between a principal building and side lot line, extending from the front yard to the rear yard.

**ZONING ADMINISTRATOR (ZA):** The officer and/or his duly appointed deputies, agents, employees and inspectors charged with the administration and enforcement of this Ordinance.

## **ARTICLE 3 - ZONING MAP AND DISTRICTS**

### **3.01 ZONING DISTRICTS ESTABLISHED**

For the purpose of this Ordinance, Whitewater Township is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names, and shall have boundaries as delineated on the Official Zoning Map.

R-1 Residential  
R-2 Residential  
R-3 Residential  
RC- Recreational  
A-1 Agricultural  
C-1 Commercial  
N- Industrial  
V – Village  
COPUD Corridor Overlay PUD  
PUD Planned Unit Development  
MHP Manufactured Home Park

### **3.02 ZONING MAP**

The boundaries of the zoning districts are defined and established on the Official Zoning Map of Whitewater Township which is a part of this Ordinance. This map is identified by the signature of the township supervisor, attested to by the township clerk, and bearing the statement that this is the “Official Zoning Map of Whitewater Township” with an effective date. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map and include the dates of any amendments made thereon.

### **3.03 INTERPRETATION OF ZONING DISTRICT BOUNDARIES**

Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, to the Zoning Board of Appeals. The Zoning Board of Appeals, in arriving at a decision on such matters, shall apply the following standards:

- (A) Boundaries indicated as approximately following roads or highways shall be construed as following the right-of-way center lines of said roads or highways.
- (B) Boundaries indicated as approximately following section lines, quarter-section lines, quarter-quarter section lines, or lot lines shall be construed as following such lines.
- (C) Boundaries indicated as approximately following Township boundary lines shall be construed as following such boundary lines.
- (D) Boundaries indicated as approximately following railroad lines shall be considered midway between the main tracks.
- (E) Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as parallel thereto and at such distance as indicated on the Official Zoning Map. If no distance is given, such dimension shall be determined by using the scale shown on the Official Zoning Map.
- (F) Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines, and in the event of a change in the shorelines shall be construed as moving with the actual shorelines; boundaries indicated as approximately following the thread of streams,

canals, or other bodies of water shall be construed to follow such threads.

- (G) Where the application of the aforesaid rules leaves reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern.

## ARTICLE 4 - USE REGULATIONS AND PRIMARY DIMENSIONAL REQUIREMENTS

### 4.01 ZONING DISTRICT REGULATIONS

Except as may otherwise be provided in this ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of, or addition to an existing use, building, and structure occurring after the effective date of this ordinance shall be subject to all regulations of this ordinance applicable in the zoning district in which such use, building, or structure is located.

### 4.02 PRINCIPAL USE REGULATIONS

This Article identifies the principal land uses permitted in each of the zoning districts. No land use shall be established on a lot or parcel except in conformance with the use regulations provided herein. In order to minimize potential land use conflicts and advance other purposes as described in Article I, land uses permitted in a particular Zoning District are defined as being a "Use Permitted by Right" or a "Special Land Use" as described hereunder.

- (A) **Uses Permitted by Right:** Uses permitted by right are the primary uses and structures specified for which the district has been established. The Zoning Administrator may approve proposed uses and related structures if all other development standards and requirements contained in this ordinance are met
- (B) **Special Land Uses:** Special land uses are uses and structures generally regarded as reasonably compatible with the uses permitted by right in a zoning district but could also present potential land use conflicts or are otherwise unique in character. According to Article XX, such special uses require special consideration concerning potential impacts on adjacent properties and the Township as a whole.

### 4.03 ACCESSORY USE REGULATIONS

Accessory uses are incidental to and customarily associated with the principal use of the property, are permitted in all Districts, and shall conform to all applicable standards of this Ordinance (See Section XX).

### 4.04 RESIDENTIAL R-1 – INTENT

It is the intent of the Residential District R-1 to provide a dedicated space for residential structures, specifically Single-Family Dwellings, and the structures and uses typically associated with a residential area.

- (A) R-1 Use Regulations



Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. Single-Family Dwellings,</li> <li>2. Publicly owned and operated parks and recreational facilities.</li> <li>3. The keeping of animals for home use and enjoyment subject to all applicable requirements of (Section X.X)</li> <li>4. Adult foster care facilities serving 6 or less individuals.</li> <li>5. Family day-care homes serving 6 or less individuals.</li> <li>6. Churches with a building footprint less than 5,000 square feet.</li> <li>7. Home occupations subject to the requirements of (Section X.X)</li> <li>8. Accessory buildings and uses customarily incidental to the same (See Section X.X).</li> </ol>	<ol style="list-style-type: none"> <li>1. Bed and Breakfast Establishments.</li> <li>2. Schools.</li> <li>3. The keeping, breeding or training of dogs for monetary gain or for profit, subject to all applicable requirements of Article X.X</li> <li>4. Adult foster care facilities serving more than 6 individuals.</li> <li>5. Family day-care homes serving more than 6 individuals.</li> <li>6. Group day-care homes serving more than 6 individuals.</li> <li>7. Churches with a building footprint that is 5,000 square feet or more.</li> <li>8. Planned Unit Developments.</li> </ol>

#### 4.05 RESIDENTIAL R-2 – INTENT

It is the intent of the Residential District R2 to provide a dedicated space for residential structures, specifically, single and two-family dwellings, and accessory structures incidental thereto.

##### (A) R-2 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted by right in the Residential District R-1.</li> <li>2. Two-family dwellings.</li> <li>3. Schools.</li> <li>4. Farming of all types, subject to the requirements of (Section X.X)</li> <li>5. Libraries.</li> </ol>	<ol style="list-style-type: none"> <li>1. All special uses permitted and as regulated in the Residential District R-1.</li> <li>2. Planned Unit Developments.</li> <li>3. Residential Care Facilities, Convalescent or Nursing Homes.</li> </ol>

#### 4.06 RESIDENTIAL R-3 – INTENT

It is the intent of the Residential District R-3 to provide a dedicated space for residential structures, specifically multi-family dwellings, townhouses, apartments, and other compatible uses.

##### (A) R-3 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted by right in Residential District R-2.</li> </ol>	<ol style="list-style-type: none"> <li>2. All special uses permitted and as regulated in the Residential District R-2.</li> <li>3. Multi-family dwellings such as townhouses and apartments.</li> </ol>

#### 4.07 COMMERCIAL C – INTENT

The purpose of the Commercial C District is to provide a location for a diversity of small and moderate scale business types and is situated along a regional arterial roadway, M-72, to serve local passers-by traffic and local needs.

##### (A) C Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted in Residential District R1, R2.</li> <li>2. Restaurants, bakeries, coffee shops, and diners.</li> <li>3. Office buildings and uses such as: accountants, legal services, medical, dental, and physical therapy offices.</li> <li>4. Financial institutions.</li> <li>5. Retail stores and shops; food, drug, variety, dry goods, clothing, music, hardware, equipment, and other similar light retail uses.</li> <li>6. Equipment, tool, and event rental establishments.</li> <li>7. Personal service establishments which perform services on the premises, such as: barber and beauty shops, shoe repairs, business services, printing, publishing, and related trades.</li> <li>8. Places of public assembly, religious, civic, and social facilities not operated for profit and facilities customarily incidental thereto.</li> <li>9. Licensed daycare facilities.</li> <li>10. Assisted living, extended care, and licensed group home facilities.</li> <li>11. Essential service, including public utility buildings with outside storage.</li> </ol>	<ol style="list-style-type: none"> <li>1. Any permitted use located in a building with a building footprint of 10,000 square feet or more, includes drive-through services, offers live entertainment, or serves alcoholic beverages.</li> <li>2. Retail sales and/or rental of automobiles, watercraft, farming equipment, or recreational equipment, including servicing, repair, and/or storing vehicles.</li> <li>3. Fuel and oil service stations.</li> <li>4. Hotels and motels.</li> <li>5. Dwelling units that are part of a commercial unit, such as second-story "flats" or apartment units.</li> <li>6. Multi-family dwellings.</li> <li>7. Laundry and dry-cleaning establishments.</li> <li>8. Indoor and outdoor recreational facilities (e.g., miniature golf or athletic clubs).</li> <li>9. Production, processing, assembly, manufacturing or packaging of goods or materials. Such facilities may include testing, repair, storage, distribution, and sale of such products.</li> <li>10. Schools licensed or chartered by the State of Michigan and private educational institutions.</li> <li>11. Funeral homes.</li> <li>12. Veterinary clinics, veterinary hospitals, and related kennel facilities.</li> <li>13. Carpentry, plumbing, contracting, and other skilled trades.</li> <li>14. Rental storage building, with the following conditions included in the rental contracts and posted on the premises: Excluding storage of flammable liquids or gases, explosives or toxic materials.</li> <li>15. Places of public assembly, event venues, and social facilities operated for profit.</li> <li>16. Sexually oriented businesses.</li> <li>17. Billboards subject to the standards of <b>Article XX</b></li> <li>18. Any other use of a retail commercial nature designed primarily to serve the residents of the area and the traveling public.</li> </ol>

#### 4.08 VILLAGE DISTRICT V – INTENT

The purpose of the Village District is to maintain and enhance the traditional character of the Village of Williamsburg while allowing it to develop in a manner that follows the historic pattern of rural villages in the Grand Traverse Region.

(B) V Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"><li>1. All uses allowed in the R1, R2, R3, and C Districts in buildings with a building footprint that is less than 5,000 square feet</li><li>2. Apartments and offices located above commercial uses in mixed-use buildings with a building footprint that is less than 5,000 square feet.</li></ol>	<ol style="list-style-type: none"><li>1. Permitted Uses allowed in the R1, R2, R3, and C districts in buildings with a building footprint of 5,000 square feet or more.</li><li>2. Any use in a building which exceeds 5,000 square feet, and any use which includes drive-through services, and any use offering live entertainment.,</li></ol>

#### 4.09 INDUSTRIAL DISTRICT N - INTENT

It is the intent of the Industrial District to provide a dedicated location to accommodate the potential noise, outdoor storage, and increased commercial traffic common to wholesale sales and light manufacturing facilities.

A) N Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"><li>1. All uses permitted and as regulated within the Commercial, Village, and Residential Districts.</li><li>2. Wholesale warehouses.</li><li>3. Storage warehouses.</li><li>4. Outside storage of earth moving and similar large equipment.</li><li>5. Billboards, subject to the standards of <b>Section X.X</b></li></ol>	<ol style="list-style-type: none"><li>1. Industry or business, the operation of which uses any product or by-product or other thing which may cause contamination to the water, air, or land of the area unless adequate provision is made for the disposition of such product, by-product or waste which meets the approval of the Planning Commission and shall not be offensive, objectionable, or in any way endanger public health, safety or welfare.</li><li>2. Junk, scrap metal, or salvage yards.</li><li>3. Stock yards, slaughterhouses, rendering plants, meat or pelt processing establishments.</li><li>4. Establishments primarily engaged in heavy industry such as smelters, foundries, heavy industrial stamping operations.</li><li>5. Any similar business or operation offensive or objectionable to public health, safety, or welfare.</li><li>6. All special uses permitted within the Commercial, Village, and Residential Districts.</li></ol>

#### 4.10 AGRICULTURAL A-1 – INTENT

The intent of the Agricultural District is to define areas where farming and related activities is the predominant land use.

(A) A-1 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
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<ol style="list-style-type: none"> <li>1. All uses permitted and as regulated in Residential District R- 2</li> <li>2. Farming of all types, including the construction and maintenance of migrant worker's quarters.</li> <li>3. Golf courses.</li> <li>4. Riding academies and stables, veterinarian hospitals and kennels.</li> <li>5. Roadside stands for the sale of fresh or processed fruits and vegetables, grown or produced on said property.</li> <li>5. Farm Market</li> <li>6. Agricultural dumps. (See Section XX)</li> <li>7. Private Family Campgrounds (See Section XX)</li> </ol>	<ol style="list-style-type: none"> <li>1. Commercial Campgrounds (See Section XX)</li> </ol>
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#### 4.11 RECREATIONAL RC-1– INTENT

The intent of the RC-1 Recreational District is to define areas where outdoor recreation and low-density residential uses are the predominant land use.

##### (A) RC-1 Use Regulations

Uses Permitted by Right	Uses Permitted by Special Use Permit
<ol style="list-style-type: none"> <li>1. All uses permitted and as regulated in Residential District R- 2.</li> <li>2. Bed and breakfast establishments providing tourist/vacation accommodations.</li> <li>3. Private Family Campgrounds (See Section XX)</li> <li>4. Riding academies and stables, veterinarian hospitals and kennels</li> <li>5. Hydro-electric plants.</li> <li>6. State-owned conservation lands.</li> </ol>	<ol style="list-style-type: none"> <li>1. Planned Unit Developments.</li> <li>2. Commercial Campgrounds (See Section XX)</li> </ol>

#### 4.12 PRIMARY DIMENSIONAL REQUIREMENTS

Table 4-1 contains primary dimensional requirements for each zoning district. These requirements express required spatial relationships between buildings and parcels of land, such as setbacks, lot area, and building height.



**TABLE 4-1 PRIMARY DIMENSIONAL REQUIREMENTS**

Zoning District	Min. Lot Width (ft.)	Min. Lot Area (sq. ft.)	Min. Front Yard (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Max. Building Height (ft.)	Max. Building Coverage (%)	Min. Width: Max. Depth Ratio	Min. Dwelling Floor Area- each Dwelling (Sq. Ft.)
<b>R-1</b>	100	20,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>R-2 Single Family</b>	100	12,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>R-2 Two Family</b>	120	22,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>R-3 Single Family</b>	100	12,000	30 <sup>(3)</sup>	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-(9)	1:4	700
<b>R-3 Multi-Family</b>	120	11,000 per dwelling unit	30 <sup>(3)</sup> (8)	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>A-1</b>	200	40,000	30 <sup>(3)</sup> (5)	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>		1:4	700
<b>RC-1</b>	300	5 Ac.	30 <sup>(3)</sup> (6)	15 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>		1:4	700
<b>C-1</b>	100	-	50 <sup>(3)</sup> (7) (8)	10 <sup>(3)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	40% (9)		700
<b>V – With common sewage disposal or water supply.</b>	80	20,000	0 <sup>(2)</sup> (3)	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>V - With common sewage disposal and water supply</b>	50	8,000	0 <sup>(2)</sup> (3)	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>V - Without common water supply or sewage disposal</b>	100	40,000	0 <sup>(2)</sup> (3)	10 <sup>(3)</sup>	15 <sup>(3)</sup>	35 <sup>(1)</sup>	-	1:4	700
<b>N</b>	100	-	50 <sup>(3)</sup>	Total 30%, but not less than 15 ft. <sup>(3,8)</sup>	30 <sup>(3)</sup>	35 <sup>(1)</sup>	40% (9)	1:4	700
<b>MHP</b>	300	17 Ac.				35 <sup>(1)</sup>			700
<b>LOTS WITH FRONTAGE ON THE BOARDMAN RIVER OR TRIBUTARIES</b>									
1. In no case shall a lot having frontage on the Boardman River or its tributaries be less 200 feet wide at the ordinary high-water mark, or have a lot depth of less than 200 feet.									
2. No structure shall be built within 100 feet of the ordinary high-water mark of the Boardman River or its tributaries.									
<b>FRONTAGE ON ALL OTHER LAKES AND STREAMS</b>									
1. No structure shall be built within 50 feet of the ordinary high-water mark of all other Lakes and Streams.									
<b>ENCLOSURES/STRUCTURES FOR LIVESTOCK, DOMESTIC ANIMALS (EXCEPT HOUSE PETS)</b>									
1. All enclosures/structures for livestock, domestic animals (except house pets) shall be located on a lot that is no less than 2 ½ acres and may not be located closer than 100 feet from any lot line.									

Footnotes

<sup>(1)</sup> or 2 1/2 stories above grade (whichever is less)

<sup>(2)</sup> New buildings shall be constructed so that their front facades are in one of the following locations:

**ARTICLE 4 – USE REGULATIONS AND PRIMARY DIMENSIONAL REQUIREMENTS**

- a. The same distance from the road as any adjacent principal building (on the same side of the road) within 100 feet, or
  - b. The average distance from the road of both adjacent principal buildings (on the same side of the road) if within 100 feet, or
  - c. If no principal buildings are within 100 feet on the same side of the road, the front setback shall be 15 or more feet from the front lot line or such other distance as the Planning Commission may approve by site plan review.
- (3) No structure shall be built within the minimum yards required except when expressly allowed elsewhere in this Ordinance.
- (4) A dock may be constructed parallel to the bank, not exceeding ten (10) feet in length
- (5) When a lot has frontage on M-72 in the A-1 Zone, the required front yard setback is 100 feet.
- (6) When a lot has frontage on Supply Road, the required front yard setback is 150 feet.
- (7) When a lot has frontage on Old 72 in the C-1 Zone, the required front yard setback is 30 feet.
- (8) When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required front yard is 75 feet.
- (9) When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the maximum building coverage is 33%

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required lot width is 100 feet.~~

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required rear yard 30 feet.~~

~~When a lot has frontage on M-72 in the C-1, R-3 or N Zone, the required minimum width to depth ratio is 1:40~~

Email from Ron Popp regarding NO QUORUM for Joint PC/TB Meeting originally scheduled on 11/09:

**Ron Popp** <supervisorwhitewater@gmail.com>

To: Rachel Steelman

Mon, Oct 23 at 3:23 PM

Board Members - Rachel is asking for a couple of reschedule dates for the joint meeting. Please see her recommendations below. If you could get back to me with your choices within the time she has specified that would be great.

Thank you

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)

bcc: Township Board

Hide original message

----- Forwarded message -----

From: **Rachel Steelman** <[rsteelmanpc@yahoo.com](mailto:rsteelmanpc@yahoo.com)>

Date: Mon, Oct 23, 2023 at 2:47 PM

Subject: Re: 11.09.2023 Joint Meeting

To: Ron Popp <[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)>

Hi Ron,

I'm sorry to hear that but understand. Def a busy time of year. Why don't you propose 2-3 evenings that will work for the majority of the TB sometime between 11/9 and 12/7. Please let me know before Monday 10/30 so the PC can make a decision at the 11/1 meeting. I will be unavailable 10/31-11/4 thus why I would need to share your date options on or before 10/30.

Thank you,  
Rachel

Bcc: TB

Rachel's iPhone

On Oct 23, 2023, at 2:15 PM, Ron Popp <[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)> wrote:

Rachel - I understand there will not be a quorum of the Township Board available for this meeting. We can attempt to reschedule or add something to the November 14, 2023 agenda if you like?

Let me know what works best.

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)

bcc: Township Board

Following this page is;  
ER Schools  
Superintendent, Bryan  
McKenna's presentation  
from the School Board  
Meeting dated October  
10<sup>th</sup>, 2023



# Sustaining and Maintaining Programming, Personnel and Facilities



# **WE ARE-ER Goals - 2023 and Beyond**

- 1. Maintain Current Building Structures**
- 2. Maintain Current Programs**
- 3. Grow Programs Connected to Strategic Plan**
- 4. Grade Level Enrollment 90-110 Students/Grade**
- 5. District Enrollment of Approximately 1,200-1,300 Students**
- 6. Elk Rapids Schools Organizational Strength**
- 7. Increase Advocacy While Increasing Expectations**

# **How Michigan Public Schools are Funded**

- **Combination of Local, State and Federal Funds**

**How much money school districts receive from each of these sources depends on:**

- **Demographics of student population (i.e., percent eligible for free and reduced lunch, special education needs, etc.)**
- **Local property tax revenues**
- **Available and applicable grants**

# Local Tax Revenue and How it Impacts In-Formula and Out of Formula Districts

The vast majority of Michigan Public Schools are “In-formula”

- This means that the local tax base *does not generate enough revenue* to cover the state per pupil funding allowance.
- Local revenues are supplemented by revenues from the state

When tax base generates more revenue for a district it's considered “Out-of-Formula”

- The local tax base *generates more funding* than the state per pupil funding allowance
- The district keeps all of the local revenue but revenues from the state are reduced
- When this happens, schools are “funded” to only serve residential students

In the 2022-23 School year Elk Rapids Schools received a total of \$11,525 on average per pupil (all sources; local/state/federal/isd) and is ranked 674 out of 822 districts in Michigan putting us in the bottom 18% of per pupil funding

# Funding and School of Choice History

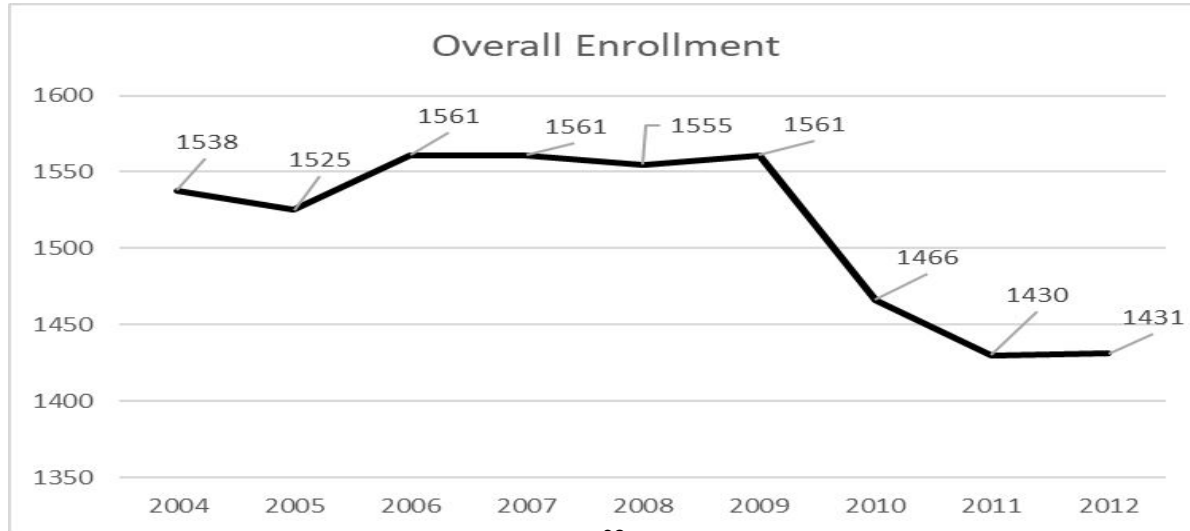
- 1996 Michigan Department of Education Allows “School of Choice”
- Elk Rapids Schools joins the Regional School of Choice Agreement
- Elk Rapids Becomes Regional Leader in “School of Choice”
- **2000 – 2012 At Elk Rapids: Equal Funding for “All” Regardless of Residency**



# Enrollment History

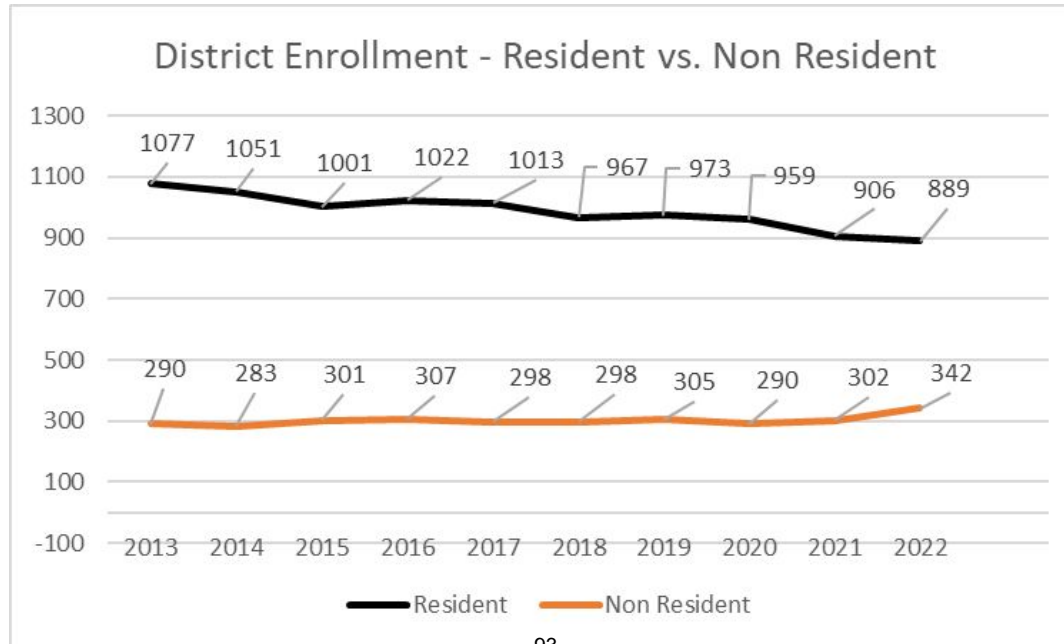
2000-2012:

- Equal Funding for All



# Elk Rapids Schools

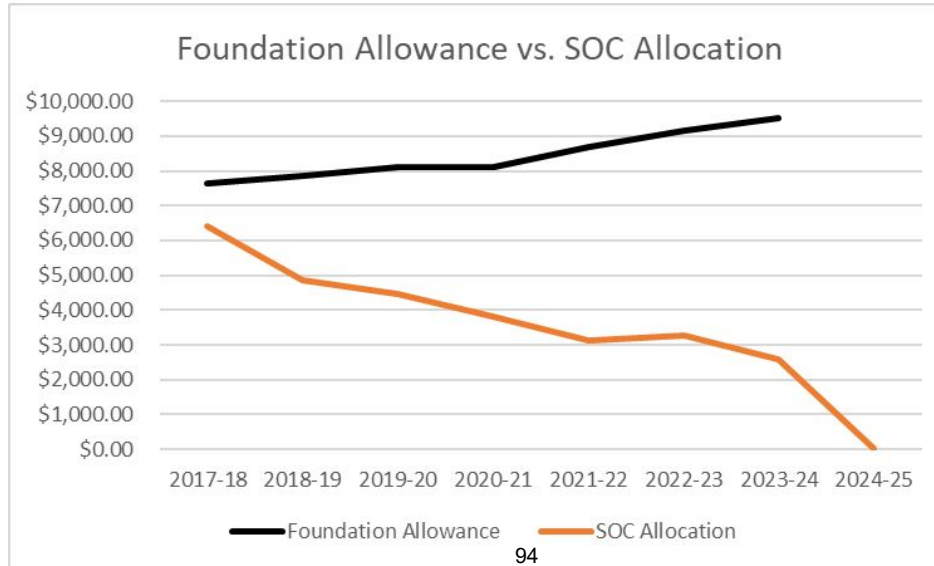
## 2013-2022: Resident and Non Resident student count



# Elk Rapids Schools

## 2017-2025: Student Allowance (State and Local Foundations)

- Resident Students Compared to School of Choice Students



# Elk Rapids Schools

## 2023-2033: The Future: Going “Out of Formula”

- **Positive Aspects**
  - **Predictable Revenue Source**
  - **Local Tax/Foundation in 2022-23 \$11,102,263 (State of MI Foundation \$1,116,775) 1220 students (889 residential students)**
  - **Local Tax/Foundation in 2023-24 \$11,758,922 (State of MI Foundation \$894,712) 1237 students (913 residential students)**
  - **2022-23 Elk Rapids resident students \$11,399 and School of Choice \$3,265**
  - **2023-24 Elk Rapids resident students \$11,913 and School of Choice \$2,753**

# Elk Rapids Schools

- **Negative Aspects**
  - **Property Tax Revenue source intended only to finance the education of residential student**
  - **Student Enrollment Dictate Programming**
  - **Will Have to Limit/End School of Choice Student Enrollment**
    - **Complete Evaluation of All Programming/Services for Elk Rapids Schools**
- **Local Schools Currently Out of Formula: Bellaire, Frankfort, Leland, Northport, Glen Lake**



# Out of Formula: Option 1

## Option 1: Maintain Status Quo: Face Deficit Spending

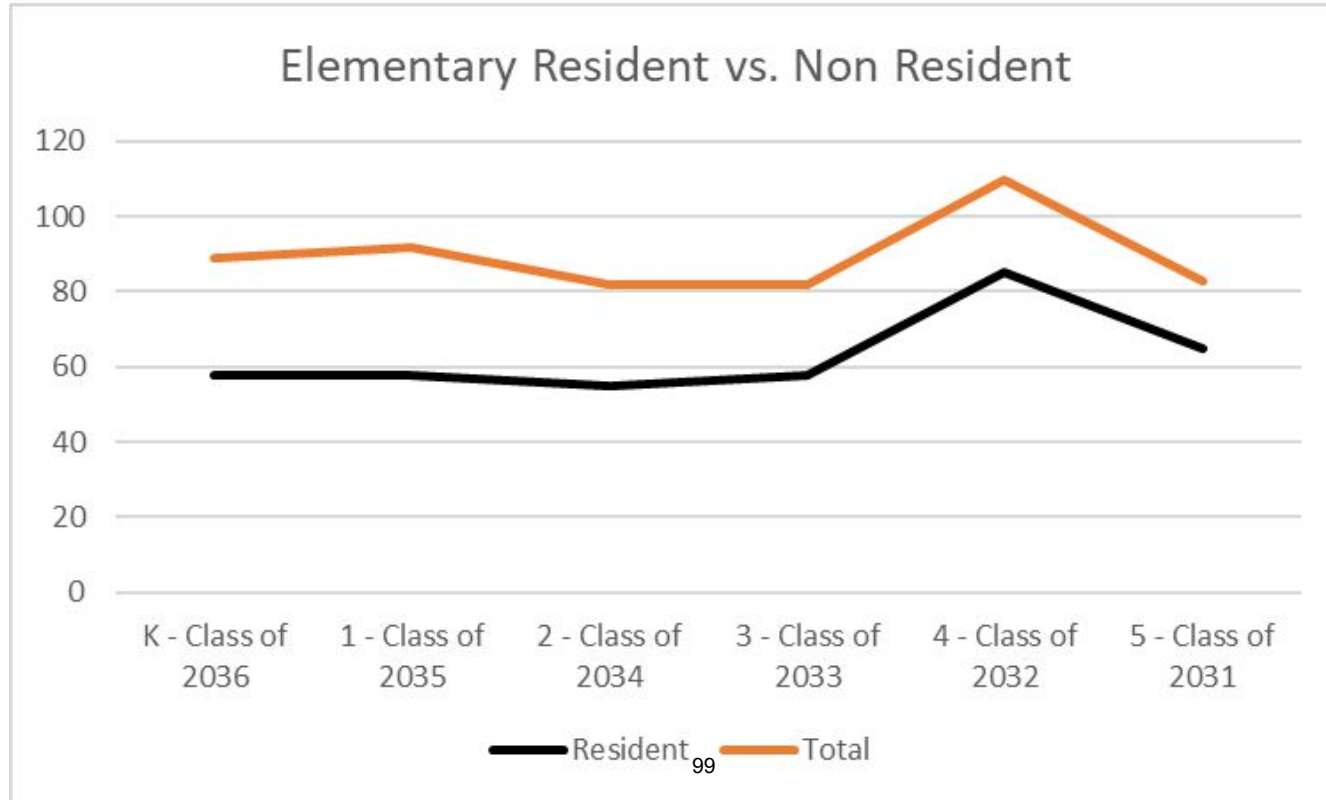
- Declining School of Choice Allocation:
  - 2022-2023 School Year = \$3,265/School of Choice Students
  - 2023-2024 School Year = \$2,733/School of Choice Students
  - 2024-2025 School Year = Projected \$0/School of Choice Students
  - Facing at least \$1 Million Annual Deficit
    1. Current Fund Balance Is: \$2,200,000
    2. Elk Rapids Schools is using \$1.2 million in fund balance for 2023-24 programming
    3. 2024-25 When fund balance is less than 5%, State will require Elk Rapids Schools reduce expenses to retain 5% fund balance

# Out of Formula: Option 2

## Option 2: Phase Out School of Choice (Eliminate New School of Choice Enrollment)

- **Positives**
  - **Stable Funding Based on Taxable Value**
- **Negatives**
  - **Student Populations Decline**
  - **Complete Evaluation of All Programming/Services for Elk Rapids Schools**
    - **Services**
    - **Academic Programs**
    - **Extracurricular Opportunities**
    - **Facilities**

# Impacts on Loss of School of Choice Enrollment



# **Out of Formula: Option 3**

**Plan has Three Objectives and Connects to 7 Goals**

- **Maintain excellent education opportunities for all students.**
- **Maintain current compensation and benefits for employees.**
- **Continue to be seen as a valued asset by the community and the region.**

# **Out of Formula: Option 3**

## **Option 3: Transition Mill Creek Elementary to an Elk Rapids Authorized Public School Academy**

- **What:**
  - **Create: Mill Creek Academy an Elk Rapids  
Schools Authorized Charter Academy**



# Out of Formula: Option 3

- **Mill Creek Academy**

- **Why:**

- **To Continue Educational Opportunities for Mill Creek Students and Region**
    - **Maintain Local Control of Educational Standards, Programming within the District**
    - **Retain current Mill Creek Staff to Offer Choice in Region**

# Out of Formula: Option 3

- **Mill Creek Academy**

- **How: Elk Rapids Schools Works with Michigan Department of Education Charter School Authority To Start Transition**
  - **Staffing: Mill Creek Academy contracts with Elk Rapids Schools for current staffing, keeping all staff within Elk Rapids Educational Association**
  - **Facilities: Leased from Elk Rapids Schools**
  - **Students: Mill Creek Students Become Mill Creek Academy Students**
  - **Curriculum: Aligns with Elk Rapids Curriculum**

# **Guidance/Research/Council**

**Michigan Department of Education**

**Thrun Law Firm**

**Finance Department of NWES**

**DGN Auditors**

**Regional Districts**

**Regional Experts**

**Elk Rapids Education Association**

# **Guidance**

## **Further Board Discussions?**

# Budget Amendment FYI



## FYI - Email from Clerk regarding Budget Amendment APPROVAL:

**Cheryl A. Goss** <clerk@whitewatertownship.org>

To: Rachel Steelman, 'Randy Mielnik'

Wed, Oct 11 at 12:27 PM

Rachel –

The budget amendments have been completed. The attached documents show PC expenditures through 9/30.

FYI -

*Cheryl A. Goss*

Whitewater Township Clerk

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

Fax: 231.267-9020

[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)

**Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.**

**I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, One Nation, Under God, Indivisible, with Liberty and Justice for All.**

**BUDGET WORKSHEET**

PC Expenditures as of 09.30.23

Page: 1  
10/11/2023  
12:11 pm

Whitewater Township

	Prior Year	Current Year				(6)	(7)	(8)
	Actual	Original Budget	Amended Budget	Actual Thru September	Estimated Total	Requested	Recommended	Adopted
Month: 9/30/2023								
Fund: 101 - GENERAL FUND								
Expenditures								
Dept: 400 Planning Commission								
702 Salaries	5,010	16,000	16,000	6,490	0	0	0	0
703 Wages	2,615	2,120	7,000	3,857	0	0	0	0
715 Social Security (Employer)	473	937	1,426	641	0	0	0	0
716 Medicare (Employer)	110	219	336	150	0	0	0	0
727 Office Supplies & Expense	569	2,000	2,000	2,058	0	0	0	0
728 Postage	0	3,000	3,000	1,119	0	0	0	0
804 Professional Services	4,238	32,000	57,000	9,815	0	0	0	0
840 Dues and Memberships	0	250	250	0	0	0	0	0
847 Software Support	0	160	160	0	0	0	0	0
860 Mileage Reimbursement	0	250	250	0	0	0	0	0
865 Meal/Lodging Expense	0	0	0	0	0	0	0	0
880 Education & Training	1,767	2,000	2,000	175	0	0	0	0
901 Publishing	1,275	3,000	3,000	268	0	0	0	0
902 Printing	0	2,500	2,500	828	0	0	0	0
Planning Commission	16,057	64,436	94,922	25,401	0	0	0	0
Total Expenditures	16,057	64,436	94,922	25,401	0	0	0	0
GENERAL FUND	-16,057	-64,436	-94,922	-25,401	0	0	0	0
Grand Total:	-16,057	-64,436	-94,922	-25,401	0	0	0	0

**FYI - Attachment to Clerk's email regarding Budget Amendment**

# FYI - What was in the TB's 10/10 Regular Meeting Packet:

Date: 09/24/2023

To: Whitewater Township Board

From: Rachel Steelman, PC Chairperson

Subject: PC's FY23/24 Budget Amendment Request

This memo is to clarify the PC's FY23/24 Budget Amendment Request submitted in your 09/12/2023 TB Packet. We are eager to give the TB what they need but without clear written instructions indicating requested formatting, time frames, and projects desired it is proving difficult to do so accurately. The request for "forecasting" has been interpreted several ways thus far. As such, please reach out if you have any questions or clarifications are needed.

BUDGET WORKSHEET						Page: 1		
Expenditures Pd thru 09/08/23						9/12/2023		
						5:27 PM		
Whitewater Township						(6)	(7)	(8)
						Requested	Recommended	Adopted
Month: 9/30/2023	Prior Year Actual	Original Budget	Amended Budget	Current Year Actual Thru September	Estimated Total			
Fund: 101 - GENERAL FUND								
Expenditures								
Dept 400 Planning Commission								
702 Salaries	5,010	16,000	16,000	5,850	0			
703 Wages	2,615	2,120	2,120	3,622	0	7,000		
715 Social Security (Employer)	473	937	937	587	0			
716 Medicare (Employer)	110	219	219	137	0			
727 Office Supplies & Expense	569	2,000	2,000	819	0			
728 Postage	0	3,000	3,000	1,119	0			
804 Professional Services	4,238	32,000	32,000	6,808	0	57,000		
840 Dues and Memberships	0	250	250	0	0			
847 Software Support	0	160	160	0	0			
860 Mileage Reimbursement	0	250	250	0	0			
865 Meal/Lodging Expense	0	0	0	0	0			
880 Education & Training	1,767	2,000	2,000	175	0			
901 Publishing	1,275	3,000	3,000	268	0			
902 Printing	0	2,500	2,500	466	0			
Planning Commission	16,057	64,436	64,436	19,851	0	0	0	0
Total Expenditures	16,057	64,436	64,436	19,851	0	0	0	0
GENERAL FUND	-16,057	-64,436	-64,436	-19,851	0	0	0	0
Grand Total:	-16,057	-64,436	-64,436	-19,851	0	0	0	0

October 2023 budget amendments:

703 Wages increase to 7,000 to cover cost of additional meetings (recording secretary and trustee)

804 Professional Services increase to 57,000 to cover additional costs supporting master plan and ZO update

**An Appropriate Motion would be:** Increase the Planning Commission's Budget Line Item # 703 Wages by \$4,385 and #804 Professional Services by \$25,000 to complete the Master Plan and Zoning Project.

This request is being submitted for a Budget Amendment to our FY23/24 PC Allocation. The following information relates to the current FY only.

**Meetings:**

Meeting Type	PC, MP, ZP	PC, MP, ZP	MP, ZP	ZP	MP
Month	Regular PC	Special PC	Joint TB/PC	Special Subcommittee	ROS Committee (No Salaries)
April	04/05	04/19		04/13, 04/27	04/24
May	05/03	05/15	05/17		05/04, 05/11, 05/22, 05/31
June	06/07				
July	07/12				07/06
August	08/02	08/16			08/10, 08/24
September	09/06	09/20			09/15
October	10/04	TBD			TBD
November	11/01	TBD	11/09		TBD
December	12/06				TBD
January	01/03		TBD (Jan/Feb)		
February	02/07				
March	03/06				
<b>Total FY Meetings</b>	<b>12</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>12</b>

PC = Planning Commission, MP = Master Plan, ZP = Zoning Project

**Salaries/Wages:**

Line Item	Adopted Allocation	Paid as of 09/08/2023	FY23/24 Anticipated	Shortfall / Gain	Exhibit
702 (Salaries)	\$16,000	\$5,850	\$13,990	\$2,010	A
703 (Wages)	\$2,120	\$3,622	\$5,295	-\$3,175	B
715 (SS)	\$937	\$587	\$1,196	-\$259	C
716 (Medicare)	\$219	\$137	\$281	-\$62	D
<b>Totals</b>	<b>\$19,276</b>	<b>\$10,197</b>	<b>\$20,762</b>	<b>-\$1,486</b>	<b>E</b>

At the 08/16 Special PC Meeting we projected 17 additional meetings to finish FY23/24.

Regular/Special PC 10. Joint TB/PC 2. ROS 5.

F

**Overall FY23/24 PC Budget (not including 702, 703, 715, 716):**

Line Item	Adopted Allocation	Spent 04/01 - 09/13	Anticipated 09/13 - 03/31/24	Shortfall / Gain	Notes / Details	Exhibit
727 (Office Supplies)	\$2,000	\$818.76	\$1,200.00	-\$19	Expecting 1-2 more MP mailings	G
728 (Postage)	\$3,000	\$1,118.95	\$1,200.00	\$681	Expecting 1-2 more MP mailings	H
804 (Prof. Services)	\$32,000	\$9,815.00	\$43,630.00	-\$21,445		I
840 (Dues)	\$250	\$0.00	\$0.00	\$250		
847 (Software)	\$160	\$0.00	\$0.00	\$160		
860 (Mileage)	\$250	\$0.00	\$0.00	\$250		
865 (Meals/Lodging)	\$0	\$0.00	\$0.00	\$0		
880 (Ed/Training)	\$2,000	\$175.00	\$1,000.00	\$825	Expecting Online Citizens Planner X3 - 4	J
901 (Publishing)	\$3,000	\$268.15	\$500.00	\$2,232	Hard to predict. Expecting a couple PH's	K
902 (Printing)	\$2,500	\$827.89	\$500.00	\$1,172	Expecting signs for Workshop	L
<b>TOTAL</b>	<b>\$45,160</b>	<b>\$13,023.75</b>	<b>\$48,030.00</b>	<b>-\$15,894</b>		



**Master Plan FY23/24 cost not to exceed \$49,613.74. Draft to be complete by 03/31/2024:**

Line Item	Adopted Allocation	Spent on MP 04/01/ - 09/13	Anticipated MP 09/13/23 - 03/31/24	Total FY MP	Shortfall / Gain	Notes / Details
727 (Office Supplies)	\$2,000	\$663.90	\$1,200.00	\$1,863.90	\$136	Envelopes
728 (Postage)	\$3,000	\$776.95	\$1,200.00	\$1,976.95	\$1,023	Postage
804 (Prof. Services)	\$32,000	\$7,415.00	\$37,030.00	\$44,445.00	-\$12,445	Paid - NNW \$3,215. NPP \$4,200. Agreed/contracted - LIAA \$18,230 & NPP \$18,800**
840 (Dues)	\$250	\$0.00	\$0.00	\$0.00	\$250	
847 (Software)	\$160	\$0.00	\$0.00	\$0.00	\$160	
860 (Mileage)	\$250	\$0.00	\$0.00	\$0.00	\$250	
865 (Meals/Lodging)	\$0	\$0.00	\$0.00	\$0.00	\$0	
880 (Ed/Training)	\$2,000	\$0.00	\$0.00	\$0.00	\$2,000	
901 (Publishing)	\$3,000	\$0.00	\$0.00	\$0.00	\$3,000	
902 (Printing)	\$2,500	\$827.89	\$500.00	\$1,327.89	\$1,172	Signs for Survey and Open House. Will need signs for workshop
<b>TOTAL</b>	<b>\$45,160</b>	<b>\$9,683.74</b>	<b>\$39,930.00</b>	<b>\$49,613.74</b>	<b>-\$4,454</b>	

\*\*North Place Planning (NPP) Contract 06/22/2023: "For Fiscal Year 2023-2024, total costs for all services provided pursuant to this contract may not exceed \$32,000 (approximately \$9,000 for Zoning-related work and \$23,000 for master plan-related work)."



**Zoning Ordinance Project FY23/24 cost not to exceed \$9,000. Draft to be complete by 03/31/2024:**

Line Item	Adopted Allocation	Spent ZP 04/01 - 09/13	Anticipated ZP 09/13 - 03/31/24	Total FY Zoning Project	Shortfall / Gain	Notes / Details
727 (Office Supplies)	\$2,000	\$0	\$0	\$0.00	\$2,000	
728 (Postage)	\$3,000	\$0	\$0	\$0.00	\$3,000	
804 (Prof. Services)	\$32,000	\$2,400	\$6,600	\$9,000	\$23,000	\$9,000 estimated for Zoning Project in FY23/24. Draft completion by 03/31/2024
840 (Dues)	\$250	\$0	\$0	\$0.00	\$250	
847 (Software)	\$160	\$0	\$0	\$0.00	\$160	
860 (Mileage)	\$250	\$0	\$0	\$0.00	\$250	
865 (Meals/Lodging)	\$0	\$0	\$0	\$0.00	\$0	
880 (Ed/Training)	\$2,000	\$0	\$0	\$0.00	\$2,000	
901 (Publishing)	\$3,000	\$0	\$0	\$0.00	\$3,000	
902 (Printing)	\$2,500	\$0	\$0	\$0.00	\$2,500	
<b>TOTAL</b>	<b>\$45,160</b>	<b>\$2,400</b>	<b>\$6,600</b>	<b>\$9,000.00</b>	<b>\$36,160</b>	

North Place Planning Contract updated / signed to include complete Zoning Update Project on 06/22/2023 vs. individual Zoning Ordinance updates in previous contract dated 08/29/22.

**PC approved Contractors in FY23/24:**

Contractor	Total - Not to exceed	Spent 04/01/23 - 09/13/23	Remaining maximum 09/14/23 - 03/31/24
North Place Planning	\$32,000.00	\$6,600.00	\$25,400.00
Networks Northwest	\$3,215.00	\$3,215.00	\$0.00
LIAA	\$18,230.00	\$0.00	\$18,230.00
<b>TOTALS</b>	<b>\$53,445.00</b>	<b>\$9,815.00</b>	<b>\$43,630.00</b>

Please Note: When the PC calculated our FY23/24 meeting needs and Budget Amendment request during our 08/16/2023 Special Meeting we concluded and agreed upon \$25,000 so as not to return to the “checkbook” repeatedly this FY. We wanted to ensure any unknown expenses or needs that cropped up were covered without an additional Amendment Request. Likewise, while the Master Plan and Zoning Project DRAFTS are expected to be complete by 03/31/2024, we hope to be ahead of schedule thus additional expenses may be required. While \$25,000 would let us sleep at night, we will gladly take \$16,000 or any figure in between if the TB deems a more appropriate figure based on the information provided.

**Total Master Plan Project for FY22/23, FY23/24, and FY24/25:**

Line Item	FY 22/23 Actual	FY23/24 Anticipated maximum	FY24/25 Anticipated**	TOTAL
727 (Office Supplies)	\$0	\$1,863.90	\$0.00	\$1,864
728 (Postage)	\$0	\$1,976.95	\$0.00	\$1,977
804 (Prof. Services)	\$4,350	\$44,445.00	\$0.00	\$48,795
840 (Dues)	\$0	\$0.00	\$0.00	\$0
847 (Software)	\$0	\$0.00	\$0.00	\$0
860 (Mileage)	\$0	\$0.00	\$0.00	\$0
865 (Meals/Lodging)	\$0	\$0.00	\$0.00	\$0
880 (Ed/Training)	\$0	\$0.00	\$0.00	\$0
901 (Publishing)	\$0	\$0.00	\$0.00	\$0
902 (Printing)	\$0	\$1,327.89	\$0.00	\$1,328
<b>TOTAL</b>	<b>\$4,350</b>	<b>\$49,613.74</b>	<b>\$0.00</b>	<b>\$53,964</b>

**\*\* It is hard to predict the cost beyond Draft Completion due to factors outside of the PC's control. The steps for Adoption of the MP are found in MTA Authorities and Responsibilities of Michigan Townships book pages 355 – 357. EXHIBIT M.1, M.2, M.3, & M.4**

# Account Detail Report

04/01/2023 to 09/21/2023

Page: 1

09/21/2023

6:47 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

*PC Member Wages*

101-400-702

\$ 5,850.00

Expenditure

GENERAL FUND

Planning Commission

Salaries

General Government

Personnel Service

04/21/2023	PA	113539	Gross Pay JE	Pay Date: 04/21/2023	420.00
05/05/2023	PA	113631	Gross Pay JE	Pay Date: 05/05/2023	795.00
05/19/2023	PA	113746	Gross Pay JE	Pay Date: 05/19/2023	715.00
06/02/2023	PA	113866	Gross Pay JE	Pay Date: 06/02/2023	495.00
06/16/2023	PA	114181	Gross Pay JE	Pay Date: 06/16/2023	1,355.00
07/28/2023	PA	114767	Gross Pay JE	Pay Date: 07/28/2023	565.00
08/11/2023	PA	114941	Gross Pay JE	Pay Date: 08/11/2023	640.00
08/25/2023	PA	115183	Gross Pay JE	Pay Date: 08/25/2023	865.00

Total Journal Entries: 8

Total: 5,850.00



**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:48 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

*Recording Secretary*

101-400-703				\$	3,621.97	Expenditure
GENERAL FUND						
Planning Commission				General Government		
Wages				Personnel Service		
04/21/2023	PA	113544	Gross Pay JE	Pay Date: 04/21/2023		239.26
05/05/2023	PA	113636	Gross Pay JE	Pay Date: 05/05/2023		204.86
05/19/2023	PA	113751	Gross Pay JE	Pay Date: 05/19/2023		1,061.94
06/02/2023	PA	113871	Gross Pay JE	Pay Date: 06/02/2023		326.47
06/16/2023	PA	114186	Gross Pay JE	Pay Date: 06/16/2023		1,020.18
07/14/2023	PA	114660	Gross Pay JE	Pay Date: 07/14/2023		106.00
07/28/2023	PA	114772	Gross Pay JE	Pay Date: 07/28/2023		181.93
08/11/2023	PA	114946	Gross Pay JE	Pay Date: 08/11/2023		128.93
08/25/2023	PA	115188	Gross Pay JE	Pay Date: 08/25/2023		223.47
09/08/2023	PA	115519	Gross Pay JE	Pay Date: 09/08/2023		128.93
Total Journal Entries: 10				Total:		3,621.97

*Exhibit B*

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:48 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

*Soc Sec for  
all PC wages*

101-400-715			\$	587.25	Expenditure
GENERAL FUND					
Planning Commission				General Government	
Social Security (Employer)				Personnel Service	
04/21/2023	PA	113542	Social Security Cost	Pay Date: 04/21/2023	26.04
04/21/2023	PA	113547	Social Security Cost	Pay Date: 04/21/2023	14.84
05/05/2023	PA	113634	Social Security Cost	Pay Date: 05/05/2023	49.29
05/05/2023	PA	113639	Social Security Cost	Pay Date: 05/05/2023	12.70
05/19/2023	PA	113749	Social Security Cost	Pay Date: 05/19/2023	44.33
05/19/2023	PA	113754	Social Security Cost	Pay Date: 05/19/2023	65.84
06/02/2023	PA	113869	Social Security Cost	Pay Date: 06/02/2023	30.69
06/02/2023	PA	113874	Social Security Cost	Pay Date: 06/02/2023	20.24
06/16/2023	PA	114184	Social Security Cost	Pay Date: 06/16/2023	84.01
06/16/2023	PA	114189	Social Security Cost	Pay Date: 06/16/2023	63.25
07/14/2023	PA	114663	Social Security Cost	Pay Date: 07/14/2023	6.57
07/28/2023	PA	114770	Social Security Cost	Pay Date: 07/28/2023	35.03
07/28/2023	PA	114775	Social Security Cost	Pay Date: 07/28/2023	11.28
08/11/2023	PA	114944	Social Security Cost	Pay Date: 08/11/2023	39.68
08/11/2023	PA	114949	Social Security Cost	Pay Date: 08/11/2023	7.99
08/25/2023	PA	115186	Social Security Cost	Pay Date: 08/25/2023	53.63
08/25/2023	PA	115191	Social Security Cost	Pay Date: 08/25/2023	13.85
09/08/2023	PA	115522	Social Security Cost	Pay Date: 09/08/2023	7.99
Total Journal Entries: 18				Total:	587.25

*Exhibit C*

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:48 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

*Medicare for all PA wages*

101-400-716		\$	137.37	Expenditure
GENERAL FUND				
Planning Commission			General Government	
Medicare (Employer)			Personnel Service	
04/21/2023 PA 113540	Medicare Cost	Pay Date: 04/21/2023		6.10
04/21/2023 PA 113545	Medicare Cost	Pay Date: 04/21/2023		3.47
05/05/2023 PA 113632	Medicare Cost	Pay Date: 05/05/2023		11.53
05/05/2023 PA 113637	Medicare Cost	Pay Date: 05/05/2023		2.97
05/19/2023 PA 113747	Medicare Cost	Pay Date: 05/19/2023		10.38
05/19/2023 PA 113752	Medicare Cost	Pay Date: 05/19/2023		15.40
06/02/2023 PA 113867	Medicare Cost	Pay Date: 06/02/2023		7.19
06/02/2023 PA 113872	Medicare Cost	Pay Date: 06/02/2023		4.73
06/16/2023 PA 114182	Medicare Cost	Pay Date: 06/16/2023		19.63
06/16/2023 PA 114187	Medicare Cost	Pay Date: 06/16/2023		14.79
07/14/2023 PA 114661	Medicare Cost	Pay Date: 07/14/2023		1.53
07/28/2023 PA 114768	Medicare Cost	Pay Date: 07/28/2023		8.20
07/28/2023 PA 114773	Medicare Cost	Pay Date: 07/28/2023		2.64
08/11/2023 PA 114942	Medicare Cost	Pay Date: 08/11/2023		9.29
08/11/2023 PA 114947	Medicare Cost	Pay Date: 08/11/2023		1.87
08/25/2023 PA 115184	Medicare Cost	Pay Date: 08/25/2023		12.54
08/25/2023 PA 115189	Medicare Cost	Pay Date: 08/25/2023		3.24
09/08/2023 PA 115520	Medicare Cost	Pay Date: 09/08/2023		1.87
Total Journal Entries: 18				Total: 137.37



## BUDGET WORKSHEET

Page: 1  
8/28/2023  
4:30 pm

Whitewater Township

Month: 8/31/2023	Prior Year Actual	Current Year			Estimated Total	(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August		Requested	Recommended	Adopted
Fund: 101 - GENERAL FUND								
Expenditures								
Dept: 400 Planning Commission								
702 Salaries	5,010	16,000	16,000	5,850	0			
703 Wages	2,615	2,120	2,120	3,493	0			
715 Social Security (Employer)	473	937	937	579	0			
716 Medicare (Employer)	110	219	219	136	0			
727 Office Supplies & Expense	569	2,000	2,000	819	0			
728 Postage	0	3,000	3,000	1,119	0			
804 Professional Services	4,238	32,000	32,000	6,808	0			
840 Dues and Memberships	0	250	250	0	0			
847 Software Support	0	160	160	0	0			
860 Mileage Reimbursement	0	250	250	0	0			
865 Meal/Lodging Expense	0	0	0	0	0			
880 Education & Training	1,692	2,000	2,000	175	0			
901 Publishing	1,139	3,000	3,000	268	0			
902 Printing	0	2,500	2,500	466	0			
Planning Commission	15,846	64,436	64,436	19,713	0	0	0	0
Total Expenditures	15,846	64,436	64,436	19,713	0	0	0	0
GENERAL FUND	-15,846	-64,436	-64,436	-19,713	0	0	0	0
Grand Total:	-15,846	-64,436	-64,436	-19,713	0	0	0	0

Since 4/1

PC Meetings (9) 4/5, 4/19, 5/3, 5/15, 5/17 Joint, 6/7, 7/12, 8/2, 8/16  
 RDS Meetings (8) 4/24, 5/4, 5/11, 5/22, 5/31, 7/6, 8/10, 8/24  
 (not paid except RS)  
 Special Subcommittee (2) 4/13, 4/27  
 (paid) 2 members  
 RS not pd as of 8/28.

## PC Budget

From: Rachel Steelman (rsteelmanpc@yahoo.com)

To: clerk@whitewatertownship.org

Bcc: randy@northplaceplanning.com; pc5@whitewatertownship.org; heidivyourtrustee@gmail.com;  
pc3@whitewatertownship.org; kakeaton@charter.net; wtpc.deyoung@gmail.com; loismaclean@sbcglobal.net;  
rsteelmanpc@yahoo.com

Date: Thursday, August 17, 2023 at 09:28 AM EDT

Hi Cheryl,

At last night's Special PC meeting we discussed how many meetings we anticipate for the remainder of FY2023. We concluded the following as it relates to line items 702, 703, 715, and 716:

Regular and Special PC meetings - 10  
Joint PC and TB Meetings - 2  
ROS meetings - 5

We also discussed forecasted Master Plan completion figures and will be submitting a formal request for a Budget Amendment to line item 804, Professional Services at the September TB meeting. Our request will include historical expenditures and explanation/justification for the request. If there is a specific form, format, or other details I should include, please let me know. Likewise, if you have a previous request I could review, I'd appreciate it as I like to stay consistent with what the TB is accustomed to.

Thank you very much!  
Rachel

BCC; PC, Recording Sec., and Planner

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:48 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

101-400-727

\$ 818.76

Expenditure

GENERAL FUND

Planning Commission

Office Supplies & Expense

General Government  
Supplies

*Master Plan*

06/07/2023 AP 114048 THE COPY SHOP

2500 Envelopes Out & Ret/

INV#:

21

663.90

06/07/2023 AP 114052 VISA

PARK/PC/CLERK/TWP HALL/

INV#:

154.86

Total Journal Entries: 2

Total: 818.76

*Exhibit G*



**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:49 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

101-400-728				\$	1,118.95	Expenditure	
GENERAL FUND							
Planning Commission				General Government			
Postage				Supplies			
04/25/2023	AP	112995	MICHIGAN TOWNSHIPS ASSOCIATION	6 AUTHORITIES/RESPONSIBILITIES	INV#:		342.00
06/07/2023	AP	114048	THE COPY SHOP	2500 Envelopes Out & Ret/	INV#:	21	776.95
Total Journal Entries:				2	Total:		1,118.95

Master Plan

Exhibit H

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:49 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

101-400-804			\$	9,815.00		Expenditure
GENERAL FUND						
Planning Commission				General Government		
Professional Services				Contractual		
04/25/2023	AP	112997	NORTH PLACE PLANNING LLC	03/01-03/31/2023	INV#:	900.00
05/10/2023	AP	113059	NORTH PLACE PLANNING LLC	April 2023	INV#:	825.00
05/23/2023	AP	113156	NETWORKS NORTHWEST	1ST PMT ON CONTRACTUAL	INV#:	400.00
06/20/2023	AP	114382	NORTH PLACE PLANNING LLC	05/01-05/31/2023	INV#:	975.00
07/19/2023	AP	114518	NORTH PLACE PLANNING LLC	Services 06/01 thru 06/30/2023	INV#:	900.00
07/19/2023	AP	114530	NETWORKS NORTHWEST	Contract 1730 - 1/2 Payment on	INV#:	1,207.50
07/19/2023	AP	114548	NETWORKS NORTHWEST	Bal Due Contract 3161	INV#:	400.00
08/15/2023	AP	115047	NORTH PLACE PLANNING LLC	07/01-07/31/2023	INV#:	1,200.00
09/13/2023	AP	115638	NETWORKS NORTHWEST	FINAL PAYMENT TWP SURVEY	INV#:	1,207.50
09/13/2023	AP	115640	NORTH PLACE PLANNING LLC	08/01-08/31/2023	INV#:	1,800.00

Total Journal Entries: 10

Total: 9,815.00

Networks Northwest (Master Plan) \$3,215.00

North Place Planning (Master Plan) \$4,200.00

North Place Planning (Zoning Project) \$2,400.00

Master Plan \$7,415.00

Zoning Project \$2,400.00



**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:50 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

Expenditure

101-400-880

\$ 175.00

GENERAL FUND  
Planning Commission  
Education & Training

General Government  
Miscellaneous

*We can move to ZBA*

04/12/2023 AP 112884 CARLYLE WROUBEL  
05/10/2023 AP 113077 VISA

ZBA ONLINE CERTIFICATE  
Clerk/Treas/TwpBd/Park/Cem/PC

INV#:  
INV#:

75.00  
100.00

Total Journal Entries: 2

Total: 175.00

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:50 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

101-400-901

\$ 268.15

Expenditure

GENERAL FUND  
Planning Commission  
Publishing

General Government  
Miscellaneous

04/12/2023 AP 112930 TC RECORD-EAGLE, INC.  
06/20/2023 AP 114389 TC RECORD-EAGLE, INC.

NTC OF ADOPTION ZOA #86  
NTC OF 6/07/23 PLANNING

INV#:  
INV#:

03  
05

135.70  
132.45

Total Journal Entries: 2

Total: 268.15

Exhibit K

**Account Detail Report**  
04/01/2023 to 09/21/2023

Page: 1  
09/21/2023  
6:51 pm

GLNumber  
Fund Name  
Department Name  
Account Name

YTD Actual  
Fund Type  
Function Name  
Class Name

101-400-902

\$ 827.89

Expenditure

GENERAL FUND

Planning Commission

Printing

General Government

Miscellaneous

07/03/2023 AP 114473 RODNEY REBANT

20 LAWN SIGNS RE: MASTER

INV#: Master Plan

466.19

09/13/2023 AP 115639 NORTH PLACE PLANNING LLC

18 SIGNS FOR UPCOMING

INV#: Master Plan

361.70

↖ Reimbursement

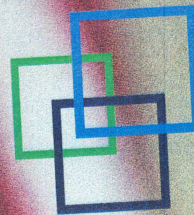
Total Journal Entries: 2

Total:

827.89

Exhibit L





MICHIGAN  
TOWNSHIPS  
ASSOCIATION

# Authorities & Responsibilities of Michigan Townships

YOUR GUIDE TO SERVING  
YOUR COMMUNITY

*Exhibit M.1*

2020 EDITION

127

By Catherine A. Mullhaupt  
with contributions by Robert E. Thall  
John H. Bauckham, Founding Author

A portion of each purchase supports MTA's Robinson Scholarship.



A planning commission must adopt bylaws and keep minutes, including its resolutions, transactions, findings and determinations. (MCL 125.3819)

**Budget**

A planning commission must make an annual written report to the township board concerning its operations and the status of planning activities, including recommendations regarding actions by the township board related to planning and development. (MCL 125.3819)

After preparing the annual report, a planning commission may prepare a detailed budget and submit the budget to the township board for approval or disapproval. The township board annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county or other local government or private grants, contributions or endowments. (MCL 125.3823)

Planning commission members may be reimbursed for expenses and may receive compensation as fixed by the township board. (MCL 125.3823)

A township board may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses within a budget authorized by the township board. A township board could delegate this authority to the planning commission or another official. (MCL 125.3825)

**Master plan**

The planning commission is required to develop and recommend a master plan for the future development of the township and which would guide future zoning ordinance amendment decisions. (MCL 125.3831)

The master plan can cover anticipated development of the township over the next 20 years or more. (MCL 125.3833)

To accommodate cooperation, the commission is required to send notice of its intention concerning the future development of the township to the planning commission of each contiguous local unit of government that has a planning commission or to the legislative body



of such contiguous units that do not have such planning commission. It must also send notice of its intentions to the county planning commission or to the county board of commissioners in counties that do not have such planning commissions. In addition, it must similarly notify each public utility company and railroad company registered with the township for such notification, to the county road commission and to the state transportation department if the plans include master street plans. Such notices should request the recipient's cooperation and comment, and may be accomplished by first-class mail or personal delivery. (MCL 125.3839)

A planning commission should be prepared to have the assistance of a professional planner and township attorney in drafting a master plan.

After the proposed master plan has been prepared, it shall be submitted to the township board for review and comment. After the township board has approved the distribution of the plan, a copy shall then be submitted to each of the foregoing units previously required to be notified of the planning commission's intentions. (MCL 125.3841)

Beginning  
4/1/2024

The planning commission must wait at least 63 days for the receipt of any comments from those receiving the proposed master plan. It must then hold not less than one public hearing on the proposal, preceded by not less than 15 days published notice in a newspaper of general circulation within the township. Such notice must also be given to all entities previously notified, which notice could accompany the original submission of the proposed plan rather than any subsequent notification. (MCL 125.3843)

Following the public hearing, the planning commission may approve the proposed master plan or any changes thereto by resolution of a majority of its membership. This approval is verified by the signature of the chairperson or secretary on the inside of the front or back cover of the proposed plan. It must then be submitted to the township board for final adoption if the township board has asserted its final authority in this connection.

Where the township board has reserved its final approval and upon review has rejected the proposed plan, it must then be reconsidered by



the planning commission following a further public hearing preceded by the notification required for the first public hearing. (MCL 125.3843) This process is repeated until approval by the township board.

Amendments to the master plan for the most part follow the same procedure as previously required; however, the 63-day period is reduced to 42 days for receiving comments from the interested entities. Grammatical, typographical or similar editorial change may be made without following this process for amendment. (MCL 125.3845)

At least every five years after adoption of a master plan, the planning commission must review the master plan and determine whether to amend the master plan or adopt a new master plan. The review and its findings must be recorded in the planning commission minutes. (MCL 125.3845)

**Additional planning commission authority**

Before a street, park, open space, public building or other structure can be authorized or constructed in an area covered by the township's master plan, the location, character and extent of the project or utility must be submitted to the planning commission by the township board or other body having jurisdiction over the authorization or financing of the project for the planning commission's review and approval.

The planning commission must submit its reasons for approval or disapproval to the submitting body. If it disapproves the proposal, the submitting body may overrule the disapproval by a vote of not less than two-thirds of the body's membership. If the planning commission fails to act on the submission within 35 days, the proposed project shall be considered approved. (MCL 125.3861)

If the township owns or operates a water supply or sewage disposal system individually or jointly with another unit or units of government, then the planning commission must annually prepare a capital improvement program of public structures and improvements. The planning commission must prioritize the recommended projects that, in its opinion, are needed and can be accomplished within the ensuing six-year period. Upon request of the planning commission, those in charge of the project shall furnish the commission with lists, plans, and estimates of time and costs of the proposed improvements.