# WHITEWATER TOWNSHIP PLANNING COMMISSION AGENDA FOR REGULAR MEETING, February 1, 2023

6:00 PM, Whitewater Township Hall 5777 Vinton Road, Williamsburg, MI 49690 Phone 231-267-5141/Fax 231-267-9020

#### Join Zoom Meeting

#### https://us06web.zoom.us/j/83182818080?pwd=Y1A1T1RZMEVvVEp4NDIJK2RLaEE4dz09

Meeting ID: 831 8281 8080 Passcode: 210300 One tap mobile: +13092053325,,83182818080#,,,,\*210300#

Dial in: +1 309 205 3325 US

- 1. Call to Order/Pledge Allegiance
- 2. Roll Call of Commission Members
- 3. Set/Adjust Meeting Agenda
- 4. Declaration of Conflict of Interest
- 5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
  - a. Comments shall be directed to the Commission, with questions directed to the Chair.
  - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
  - c. Persons may address the commission 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 Commission members' questions.
  - e. Public comment shall be limited to 3 minutes.
- 6. Public Hearing: Zoning Ordinance Amendment 86 regarding Article 3, Definitions and Article 28, Condominium Development Regulations
- 7. Approval of minutes of January 4, 2023
- 8. Correspondence:
- 9. Reports/Presentations/Announcements/Comments
  - a. Zoning Administrator, Hall
  - b. Chair, Steelman
  - c. Township Board Representative, Vollmuth
  - d. ZBA Representative, Wroubel

#### 10. <u>Unfinished Business:</u>

- a. Master Plan
  - i. Citizen Interest, Rebant
  - ii. PSA Information, DeYoung
  - iii. General Progress, next steps, Mienik and Rebant
- Zoning Ordinance "revamp", including status on ZO Amendments to Article 1, ZO Whitewater Township; Article 12, Building sizes, lot sizes and yard requirements; Article 14, Waterfront Property
- c. Bylaws review and update
  - Meeting Resolution #PC23-01 Revised
- d. Standard Operating Procedure (SOP), Vollmuth and DeYoung
- e. Joint Board meeting
  - i. Discuss expectations and ideas
  - ii. Third Party suggestion, Rebant
- f. PC Priority Programs and Timeline, Rebant\

- g. Article 25, Special Use Permit (SUP) Commercial Campground recommendations, Mielnik
- h. Private Road Ordinance, Mielnik

#### 11. New Business:

- a. PC Priorities discussion
- 12. Next Meeting, March 1, 2023 Agenda
- 13. Public Comment
- 14. Commission Discussion/Comments
- 15. Continuing Education MAP training, Mielnik
- 16. Adjournment

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

# LEGAL NOTICE WHITEWATER TOWNSHIP PLANNING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENT NO. 86

The Whitewater Township Planning Commission will conduct a public hearing at their regularly scheduled meeting on **February 1, 2023, at 6:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan**. The purpose of the public hearing will be to receive comments regarding certain proposed amendments to the Whitewater Township Zoning Ordinance as described below:

**Article 3, DEFINITIONS:** The purpose of this amendment is to revise the definitions of Condominium Project, Condominium Conversion, and Mobile Home or Manufactured Home Condominium Project.

**Article 28, CONDOMINIUM DEVELOPMENT REGULATIONS:** The purpose of this amendment is to revise Article 28 in its entirety.

All persons are welcome to attend and will be heard concerning the proposed amendments. Remote participation through Zoom will be available. A copy of the proposed zoning ordinance amendment language is available for public inspection at the Whitewater Township offices, 5777 Vinton Road, Williamsburg, Michigan 49690, during regular business hours, and on the township website at www.whitewatertownship.org.

Written comments will be received until the time of the meeting and should be addressed to the Whitewater Township Planning Commission, P.O. Box 159, Williamsburg, Michigan 49690.

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 x23 at least 5 days in advance of the public hearing.

Cheryl A. Goss Whitewater Township Clerk

Posted inside/outside township hall and on township website on 01/11/2023 at 3:20 p.m.

EXISTING

# ARTICLE XXVIII CONDOMINIUM DEVELOPMENT REGULATIONS (Effective March 28, 2021)

#### **28.10 INTENT**

The intent of this Article is to provide procedures and standards for the review and approval or denial of condominium developments implemented under the provisions of the Condominium Act (Act 59 of 1978, as amended) and to insure that such developments are consistent and compatible with conventional platted subdivisions as provided for through the Land Division Act (P.A 288 of 1967, as amended), and promote the orderly development of adjacent areas. These regulations are enacted by authority of the Condominium Act, the Michigan Zoning Enabling Act, and this Ordinance, as amended, whereby all developments utilizing any form of condominium development shall be approved or disapproved by the Township.

#### 28.11 APPLICABILITY

#### A. General Provisions

Prior to recording of the master deed, required by Section 72 of the Condominium Act, the condominium development shall undergo a site plan review and approval by the Township in accordance with the provisions of this section. Approval under this section shall be required as a condition to the right to construct, expand or amend a condominium development in the Township.

**B. Condominium Conversions** – All individuals proposing a Condominium Conversion shall present the township with two copies of all required documents as indicated in the Condominium Act (Act 59 of 1978, as amended). Said review shall be conducted by the township Zoning Administrator and township attorney for compliance with the Condominium Act (Act 59 of 1978, as amended). Applicant shall be provided with a written response of approval or specific reason for failure to approve within 60 days of submission.

#### C. Plat Approval

There shall be no requirement for plat approval for a condominium development under the Township Subdivision Control Ordinance.

#### **D. Planned Developments**

The procedural provisions of this section shall not apply to condominium developments which are reviewed and approved through the Special Use Permit – Planned Unit Development procedure, **Article 31 of this Ordinance**.

#### 28.12 CONSULTATION

In determining whether to approve a condominium development plan, the Township may, as the Zoning Administrator and Planning Commission deem necessary, charge for consultation with the Township Attorney and other experts, regarding the adequacy of the master deed, deed restrictions, utility systems, and streets, site layout and design, and compliance with all requirements of the Condominium Act and this Ordinance. All reasonable costs related to said consultation, as established by the Township, shall be placed in escrow with the Township by the applicant prior to review in addition to the standard nonrefundable application fee.

At any point during the review process, the Township may require that the applicant place additional funds with the Township to cover consultations deemed necessary to complete the review process. If consultation funds are not provided promptly, all reviews shall cease until funds are made available to continue. Any unused consultation funds remaining after the Township completes its review shall be returned to the applicant with a line item record of distributions.

#### **28.13 GENERAL REQUIREMENTS**

#### A. Compliance with Federal, State and Local Laws

All condominium developments shall comply with all applicable Federal, State and local laws and ordinances. No condominium documents shall conflict with the standards of this Ordinance.

#### **B.** Fee Required

Before the Township reviews a condominium development plan, the applicant shall submit to the Township a nonrefundable application fee **or preliminary review fee** as established by resolution of the Board to cover the Township's cost of **internal** review. Such application fee shall be independent of any required consultation costs as described in Section 28.12.

#### C. Information Required

All condominium development plans shall include the information required by **Section 66 of the Condominium Act** and the material required in **Section 25.11 (F)**. A person, firm, or corporation intending to develop a condominium development shall provide the following information:

- 1. Size and Scale Plans may be on paper and shall not be less than 24 inches by 36 inches, at a scale of at least 1 inch to 200 feet showing the date and north arrow.
- 2. The name of the proposed condominium development.
- 3. The name, address, telephone number of:
  - a. All persons, firms, or corporations with an ownership interest in the land on which the condominium development will be located and a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee)
  - b. All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the condominium development.
  - c. The individual or entity applying for the condominium development.
- 4. The legal description of the land on which the condominium development will be developed together with any expansion plans and appropriate tax identification numbers.
- 5. The acreage of the land on which the condominium development will be developed.
- 6. The land use and existing zoning of the proposed condominium development.
- 7. The following information for subject parcel and all parcels within 300 feet of the proposed site:
  - a. Name and address of the owners
  - b. The zoning classifications
  - c. Existing structures or significant land marks
- 8. Location, type, dimensions and proposed use of all existing structures.
- 9. A location map showing the relationship of the proposed plan to the surrounding area.
- 10. Statement of intended use(s). Such as, residential single-family, residential multi-family, commercial, industrial, etc. and the number of acres of each type of land use proposed.
- 11. Condominium lot lines and the total number of condominium units to be developed on the subject parcel.
- 12. Description of water system to be provided.
- 13. Description of sanitary waste disposal system to be provided.
- 14. Right-of-way easements, showing location, width, and purpose.
- 15. Existing topographic elevations at two (2) foot intervals, proposed grades and direction of drainage flows.

- 16. Location and types of all significant existing vegetation, water courses and bodies, flood plains and water retention areas, wetlands, and soil types.
- 17. Any additional information required during site plan review

#### **D. Utility Easements**

The condominium development plan shall include all necessary easements for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits, and other installations of a similar character providing public utilities.

#### **E. Performance Guarantees**

As a condition of approval of the condominium development plan by the Township, a performance guarantee may be required to ensure construction of required improvements and the completion of filing requirements before land use permits are issued. Upon fulfillment of all requirements and filings, the applicant shall apply to the Township for release of performance guarantees. Performance guarantees shall comply with the requirements in **Section 25.16** of this Ordinance.

#### 28.14 MOBILE HOME CONDOMINIUM DEVELOPMENTS

Mobile home condominium developments shall conform to the requirements of this Ordinance, in accordance with the Condominium Act and other applicable Local, State laws, ordinances and regulations. Such developments shall be located only in a zoning district that provides for mobile homes. The review and approval shall be processed in accordance with Section 28.15 Review Procedures.

#### 28.15 STANDARDS AND DESIGN FOR CONDOMINIUM DEVELOPMENTS

#### A. Condominium Lots

The Condominium Development Plan shall indicate specific parcel dimensions allocated to each condominium dwelling unit. For the purpose of this section and to assure compliance with the provisions herein, these parcels shall be referred to as "condominium lots".

#### B. Condominium Development Layout and Design

The description, size, location and arrangement of the site condominium lots shall conform to the requirements of this Ordinance. The design of a condominium development shall be subject to the following requirements. Should there be unusual topographic or other natural feature constraints, these standards may be modified to achieve greater or lesser conformance in accordance with the judgement of the township Planning Commission.

- 1. Each condominium lot in a site shall be considered a single lot and shall comply with the zoning district in which it is located. The area and setback requirements of a dwelling unit or structures are subject to the zoning district in which it is located.
- 2. Each condominium dwelling unit shall be located within a condominium lot. In a condominium development containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot.
- 3. The condominium lots size and required setbacks shall be measured from the designated front, rear and side condominium lot lines.
- 4. There shall be a proper relationship between existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exit driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the Township or the County Road Commission.

- 5. Existing natural features which add value to a residential development and enhance the attractiveness of the community shall be retained, insofar as possible, in the design of the subdivision.
- 6. Lands subject to flooding or otherwise deemed by the Township to be uninhabitable shall not be used for uses that may increase the danger to health, life, or property or increase the flood hazard. Such land within a condominium development may be set aside for other uses, such as parks or other open space.
- 7. Easements shall provide for utilities when necessary.
- 8. All condominium development units shall be accessible to emergency vehicles.
- 9. Common open space provided shall remain open for recreational and conservational purposes, and recorded as part of the master deed.
- 10. Condominium development units having water frontage shall meet the requirements of Article 14 Easement to Waterfront.
- 11. A plan for erosion control and storm water discharge must be approved by the appropriate public agency.
- 12. All condominium developments shall obtain approval from all applicable governing agencies.

#### **28.16 REVIEW PROCEDURES**

#### A. Preliminary Review

Any applicant can request a preliminary review of a proposed condominium development with the Zoning Administrator and one to three Planning Commissioners. This review allows an open dialogue and an opportunity to discuss a proposed goals, features, location and scope of operations prior to a formal application. Preliminary Review is available as a sounding board only, no decisions or approvals shall be rendered, either stated or implied.

#### B. Agency Submittal

The applicant shall provide copies of the proposed condominium development plan to the following Grand Traverse County Agencies: Health Department (or Department of Public Works if proposed on municipal water and/or sanitary sewer), Drain Commission, Soil Erosion, and Road Commission (or Michigan Department of Transportation if proposed on a state highway), as well as the Michigan Department of Environment, Great Lakes, and Energy (when sensitive areas and wetlands are a concern), and the Whitewater Township Fire Department or the respective successor for any of the above agencies. Four (4) hard copies and a digital print shall also be provided to the Whitewater Township. The Zoning Administrator shall distribute the proposed condominium development plans to the Planning Commission and Board of Trustees for review.

#### C. Public Hearing

The Planning Commission shall hold a public hearing on the proposed site condominium development plan, for the purpose of reviewing and making a recommendation of approval, approval with conditions, or denial to the Township Board.

#### **D.** Planning Commission Determination

After preceding with the **Article 25, Site Plan Review** process, if the Planning Commission determines that the proposed plan meets all the requirements of this Ordinance and the Condominium Act, the Planning Commission shall recommend approval or approval with conditions of the site condominium development plan and shall send written notice of action taken with comments to the Township Board and applicant.

If the Planning Commission determines that the condominium development plan does not meet all requirements, the Planning Commission shall state its reason in its official minutes and shall provide written notice of said decision to the Township Board and applicant. The Planning Commission shall recommend to the Board, disapproval of the plan until the objections causing disapproval have been changed to meet the requirements of this Ordinance and the Condominium Act.

#### E. Township Board Procedure

The Township Board shall not review, approve or reject a condominium development until it has received from the Planning Commission its report and recommendations.

The Township Board shall consider the condominium development plan at its next meeting after receipt of the report and recommendations from the Planning Commission provided all documents are received 15 days prior to meeting date. The Board shall render a written decision within 15 days of their meeting unless the applicant and Board agree to a later deadline.

#### F. Township Board Determination

The Township Board shall approve the condominium development plan, with or without conditions, reject the plan and give its reasons, table the proceedings pending further review or pending changes to the plan to make it acceptable to the Board, or refer that application back to the Planning Commission for further review and report.

#### 28.17 CONDITIONS AND DURATION OF APPROVAL

#### A. Conditions

The approval of the Board of Trustees will indicate that the proposed condominium development plan meets the ordinances and regulations of Whitewater Township, but does not cover additional permits that may be required after the Master Deed has been recorded. The Township may impose reasonable conditions on the approval of any condominium development plan consistent with the Condominium Act, this Ordinance, and the protection of public health, safety and welfare.

#### **B.** Duration

Approval of the condominium development plan by the Township shall be for a period of two (2) years from the date of approval. If no Master Deed is recorded with the Grand Traverse County Register of Deeds Office within two years of approval, such approval shall be considered null and void. The Zoning Administrator may extend the two-year period by one additional year if applied for by the applicant subject to satisfying the requirements of **Section 25.15 Failure to Initiate Construction**.

#### C. Condominium Development Plan Approval Contract

If the Township Board approves the site condominium development plan, it shall prepare a written order setting forth the conditions upon which the approval is based. Such order shall be entered into between the Township and the applicant prior to the issuance of a Land Use Permit for any construction in accordance with the approved site condominium development plan. All reasonable costs related to the preparation of said order, as established by the Township, shall be paid by the applicant to the Township Treasurer prior to Township signature and issuance of such order.

#### **28.18 FINAL FILINGS REQUIREMENTS**

Prior to the recording of the Master Deed the Township Treasurer shall certify that all taxes and special assessments are not delinquent. A copy of the Master Deed, Bylaws/ Restrictive Covenants must be recorded with the County Register of Deeds. The Township shall be provided with two (2) copies of each document, including as-built prints, and all pertinent attachments which shall remain on file with the Township.

#### **28.19 CONDOMINIUM DEVELOPMENT AMENDMENTS**

Condominium Development Plans may be amended as follows:

#### A. Minor Amendments

Minor amendments are those which are determined by the Zoning Administrator to have no foreseeable effect beyond the condominium development boundary such as minor changes in the location of buildings, the alignment of utilities, and the alignment of interior roadways. Minor amendments for good cause may be authorized by the Zoning Administrator provided that no such changes shall increase the size or height of structures, reduce the efficiency of public facilities serving the site condominium, reduce usable open space, or encroach on natural features proposed by the plan to be protected.

#### B. Major Amendments.

Any amendment not qualifying as a minor amendment as determined by the Zoning Administrator shall be considered a major amendment and must be approved by the Planning Commission according to the procedures authorized by this Article for approval of a condominium development.

#### **Proposed Edits**

Note: This should be reformatted in Times New Roman and larger font to match our ordinance. These were changed during review, source unknown. Proposed Amendment (Draft)

Includes Re-numbering and PC Edits on 12-7-2022

# ARTICLE XXVIII CONDOMINIUM DEVELOPMENT REGULATIONS

(Effective March 28, 2021)

#### 28.10 INTENT

The intent of this Article is to provide procedures and standards for the review and approval, or denial of condominium developmentsprojects implemented under the provisions of the Condominium Act (Act 59 of 1978, as amended) and to insureensure that such developments are consistent and compatible with conventional platted subdivisions as provided for through the Land Division Act (P.A 288 of 1967, as amended), and promote the orderly development of adjacent areas. These regulations are enacted by authority of the Condominium Act, the Michigan Zoning Enabling Act, and this Ordinance, as amended, whereby all developments utilizing any form of condominium developmentownership shall be reviewed, approved or disapproved by the Township.

#### 28.11 APPLICABILITY

#### A. General Provisions

Prior to recording of the master deed, required by Section 72 of the Condominium Act, thea condominium development shall undergo a site plan review and approval by the Township in accordance with the provisions of this section. Approval under this section shall be required as a condition to the right to construct, expand or amend a condominium development project in the Township.

#### **B.** Plat Approval

There shall be no requirement for plat approval for a condominium project under the Township Subdivision Control Ordinance, General Ordinance 16.

#### **C. Planned Unit Developments**

The procedural provisions of this section shall not apply to Planned Unit Developments, which are reviewed and approved through the Special Use Permit – Planned Unit Development procedures in Article 31 of this Ordinance.

#### **D.** Condominium Conversion Conversion

All individuals proposing a Condominium Conversion shall present the township with two copies of all required documents as indicated in the Condominium Act (Act 59 of 1978, as amended). Said review shall be conducted by the township Zoning Administrator and township attorney for compliance with the Condominium Act (Act 59 of 1978, as amended). Applicant shall be provided with a written response of approval or specific reason for failure to approve within 60 days of submission.

#### E. Mobile/Manufactured Home Condominium Project

Mobile/Manufactured home condominium projects shall conform to the requirements of this Ordinance, in accordance with the Condominium Act and other applicable Local, State laws, ordinances and regulations. Such projects hall be located only in a zoning district that provides for mobile/manufactured home. The review and approval shall be processed in accordance with this Article as a site condominium subdivision.

#### **F. Site Condominium Subdivisions**

- 1. Site Condominium Definition. For this section, a site condominium subdivision shall include all developments, in any zoning district, proposed under the provisions of the Condominium Act (Act 59 of 1978, as amended).
- 4-2. Site Condominium General Requirements. The site condominium subdivision plan indicates specific unit dimensions with front, rear and side lot lines. These parcels are also referred to as site condominium lots, and the size, location and arrangement of these site condominium lots shall conform to the requirements of this ordinance. A condominium project is designed to function in a similar manner, or as an alternative to, a platted subdivision. Outside of the condominium lots, common elements of the development are defined for co-owners.

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#### C. 28.12 Plat Approval

There shall be no requirement for plat approval for a condominium development under the Township Subdivision Control Ordinance.

#### **D. Planned Developments**

The procedural provisions of this section shall not apply to condominium developments which are reviewed and approved through the Special Use Permit – Planned Unit Development procedure, **Article 31 of this Ordinance**.

#### 28.12 CONSULTATION

In determining whether to approve a condominium development plan, the Township may, as the Zoning Administrator and Planning Commission deem necessary, charge for consultation with the Township Attorney and other experts, regarding the adequacy of the master deed, deed restrictions, utility systems, and streets, site layout and design, and compliance with all requirements of the Condominium Act and this Ordinance. All reasonable Estimated costs related to said consultation, as established by the Township, shall be placed in an escrow with the Township by the applicant prior to review account in addition to the standard nonrefundable application fee.

At any point during the review process, the The Township may require that the applicant place additional funds with the Township to cover consultations in escrow if deemed necessary to complete the review process. If consultation funds are not provided promptly, all reviews shall cease until funds are made available to continue. Any unused consultation funds remaining after the Township completes its review shall be returned to the applicant with a line iteman itemized record of distributions.

#### 28.13 GENERAL REQUIREMENTS

#### A. Compliance with Federal, State and Local Laws

All condominium developments projects shall comply with all applicable Federal, State and local laws and ordinances. No condominium documents shall conflict with the standards of this Ordinance.

#### B. Fee Required

Before the Township reviews a condominium development plan, the applicant shall submit to the Township a nonrefundable application fee or preliminary review fee as established by resolution of the Board to cover the Township's cost of internal review. Such application fee shall be independent of any required consultation costs as described in SectionArticle 28.12.

#### C. Information Required

All condominium development plans shall include the information required by Section 66 of the Condominium Act and the material required in Section 25.11 (F). A person, firm, or corporation intending to develop a condominium development shall provide the following information:

- 1. Size and Scale Plans may be on paper and shall not be less than 24 inches by 36 inches, at a scale of at least 1 inch to 200 feet showing the date and north arrow.
- 2. The name of the proposed condominium development.
- **3.** The name, address, telephone number of:
  - a. All persons, firms, or corporations with an ownership interest in the land on which the condominium development will be located and a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee)
  - b. All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the condominium development.
  - c. The individual or entity applying for the condominium development.
- **4.** The legal description of the land on which the condominium development will be developed together with any expansion plans and appropriate tax identification numbers.
- 5. The acreage of the land on which the condominium development will be developed. located.
- **6.** The land use and existing zoning of the proposed condominium development.

- 7. The following information for subject parcel and all parcels within 300 feet of the proposed site:
  - a. Name and address of the owners
  - b. b. The zoning classifications
- c.7. c. Existing structures or significant land marks landmarks
- **8.** Location, type, dimensions, and proposed use of all existing structures.
- **9.** A location map showing the relationship of the proposed <u>condominium development</u> plan to the surrounding area.
- **10.** Statement of intended use(s). Such as, residential single-family, residential multi-family, commercial, industrial, etc. and the number of acres of each type of land use proposed.
- **11.** Condominium <u>unit</u> lot lines and the total number of condominium units to be developed on the subject parcel.
- **12.** Description of water system to be provided implemented.
- 13. Description of sanitary waste disposal system to be provided implemented.
- **14.** RightPublic roads, private roads, and right-of-way easements, showing location, width, and purpose. All private roads in a condominium subdivision shall comply with the specifications of any applicable ordinance, state law, or federal law
- 15. Existing topographic elevations at two (2) foot intervals, proposed grades, and direction of drainage flows.
- **16.** Location and types of all significant existing vegetation, water courses and bodies, flood plains and water retention areas, wetlands, and soil types. <u>Significant vegetation includes all trees with a minimum trunk diameter of 18 inches at 4 1/2 feet above the surrounding grade.</u>
- 17. Any additional information required deemed necessary during site plan review.

#### D. Utility Easements

The condominium development plan shall include <u>and describe</u> all necessary easements for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits, and other installations of a similar character providing public utilities.

#### E. Performance Guarantees

As a condition of approval of the condominium development plan by the Township, a performance guarantee may be required to ensure construction of required improvements and the completion of filing requirements before land use permits are issued. Upon fulfillment of all requirements and filings, the applicant shall apply to the Township for release of performance guarantees. Performance guarantees shall comply with the requirements in **Section**Article 25.16 of this Ordinance.

#### **28.14-MOBILE HOME CONDOMINIUM DEVELOPMENTS**

Mobile home condominium developments shall conform to the requirements of this Ordinance, in accordance with the Condominium Act and other applicable Local, State laws, ordinances and regulations. Such developments shall be located only in a zoning district that provides for mobile homes. The review and approval shall be processed in accordance with Section 28.15 Review Procedures.

# 28.15 STANDARDS AND DESIGN FOR CONDOMINIUM DEVELOPMENTS 28.14 STANDARDS AND DESIGN FOR SITE CONDOMINIUM DEVELOPMENTS

#### A. Site-Condominium Lots

The Condominium Development Plancondominium development plan shall indicate specific parcel dimensions allocated to each condominium dwelling unit. For the purpose of this section and to assure compliance with the provisions herein, these parcels shall be referred to as "condominium lots". or lot.

#### B. Site-Condominium Development Layout and Design

The description, size, location and arrangement of the site condominium lots shall conform to the requirements of this Ordinance. The design of a condominium development shall be subject to the following requirements: and guidelines.

Should there be unusual topographic or other natural feature constraints, these standardsrequirements may be modifiedadjusted to achieve greater or lesser conformanceunique site conditions in accordance with the judgement of the township Planning Commission.

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- 1-2. Each condominium lot in a site shall be considered a single lot and shall comply with the requirements of each zoning district in which it is located. The area, and all condominium lots and setback requirements of a dwelling unit or structures are subject to required setbacks shall be measured from the zoning district in which it is located designated front, rear and side condominium lot lines.
- 2.3. Each condominium dwelling unit shall be located within a condominium lot. In a condominium development containingapproved for single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot.
- 3. The condominium lots size and required setbacks shall be measured from the designated front, rear and side condominium lot lines.
  - 4. There shall be a proper relationship between existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exit driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the Township or the County Road Commission.
  - **5.** Existing natural features which add value to a residential development and enhance the attractiveness of the community shall be retained, insofar as possible, in the design of the <u>subdivision.condominium development</u>.
  - **6.** Lands subject to flooding or otherwise deemed by the Township to be uninhabitable shall not be used for uses that may increase the danger to health, life, or property or increase the flood hazard. Such land within a condominium development may be set aside for other uses, such as parks or other open space.
  - **7.** Easements shall provide for utilities when necessary.
  - **8.** All condominium development units <u>and accessory structures</u> shall be accessible to emergency vehicles.
  - 9. Common open space provided shall remain open for recreational and conservational purposes, and recorded as part of the master deed.
  - 10. Condominium development units having water frontage shall meet the requirements of Article 14 Easement to Waterfront.
  - **11.** A plan for erosion control and storm water discharge must be approved by the appropriate public agency.
  - 12. All condominium developments shall obtain approval from all applicable governing agencies.

#### 28.16 28.15 REVIEW PROCEDURES

#### A. Preliminary Review

Any applicant can request a preliminary review of a proposed condominium development with the <u>Planner</u>. Zoning Administrator and one to <u>threetwo</u> Planning <u>Commissioners</u>. This review allows an open dialogue and an opportunity to discuss a proposed goals, features, location and scope of operations prior to a formal application. Preliminary Review is available as a sounding board only, no decisions or approvals shall be rendered, either stated or implied.

#### B. Agency Submittal

The applicant shall provide necessary full size hard copies and an electronic file (.pdf) of the proposed condominium development plan to Whitewater Township and the following Grand Traverse County Agencies: Health Department (or Department of Public Works if proposed on municipal water and/or sanitary sewer), Drain Commission, Soil Erosion, and Road Commission (or Michigan Department of Transportation if proposed on a state highway), as well as the Michigan Department of Environment, Great Lakes, and Energy (when sensitive areas and wetlands are a concern), and the Whitewater Township Fire Department or the respective successor for any of the above agencies. Four (4) hard copies and a digital print shall also be provided to the Whitewater Township. The Zoning Administrator shall distribute the proposed condominium development plans to the Planning Commission and Board of Trustees for review, and other parties as required.

#### C. Site Plan Review and Public Hearing

The Planning Commission shall hold a public hearing in accordance with site plan review requirements contained in Article 25, on the proposed site condominium development plan, for the purpose of reviewing and making a recommendation of approval, approval with conditions, or denial to the Township Board, receiving input from the public regarding the proposed development.

#### **D.** Planning Commission Determination

After preceding the public hearing held in accordance with the Article 25, Site Plan Review process, if the Planning Commission determines that shall make a determination and recommendation to the Township Board regarding whether the proposed plan meets all the requirements of this Ordinance and the Condominium Act. If the proposal is found in

<u>compliance</u>, the Planning Commission shall recommend approval or approval with conditions of the site condominium development plan and shall send written notice of action taken with comments to the Township Board and applicant.

If the Planning Commission determines that the condominium development plan does not meet all requirements, the Planning Commission shall state its reason in its official minutes and shall provide written notice of said decision to the Township Board and applicant. The Planning Commission shall not recommend to the Board, disapproval of the planproject until the objections causing disapproval have been changed to meet the all requirements of this Ordinance and the Condominium Act; have been met.

#### E. Township Board Procedure

The Township Board shall not review, approve or reject a condominium development until it has received from the Planning Commission its report and recommendations.

The Township Board shall consider the condominium development plan at its next meeting after receipt of the report and recommendations from the Planning Commission provided all documents are received 15 days prior to meeting date. The Board shall render a written decision within 15 days of their meeting unless the applicant and Board agree to a later deadline.

#### F. Township Board Determination

The Township Board shall approve the condominium development plan, with or without conditions, reject the plan and give its reasons, table the proceedings pending further review or pending changes to the plan to make it acceptable to the Board, or refer that application back to the Planning Commission for further review and report.

#### 28.17 28.16 CONDITIONS AND DURATION OF APPROVAL

#### A. Conditions

The approval of the Board of Trustees will indicate that the proposed condominium development plan meets the ordinances and regulations of Whitewater Township, but does not cover additional permits that may be required after the Master Deed has been recorded. The Township may impose reasonable conditions on the approval of any condominium development plan consistent with the Condominium Act, this Ordinance, and the protection of public health, safety and welfare.

#### B. Duration

Approval of the condominium development plan by the Township shall be for a period of two (2) years from the date of approval. If no Master Deed is recorded with the Grand Traverse County Register of Deeds Office within two years of approval, such approval shall be considered null and void. The Zoning Administrator may extend the two-year period by one additional year if applied for by the applicant subject to satisfying theall requirements of Section Article 25.15 Failure to Initiate Construction.

#### C. Condominium Development Plan Approval Contract

If the Township Board approves the site condominium development plan, it shall prepare a written order setting forth the conditions upon which the approval is based. Such order shall be entered into between the Township and the applicant prior to the issuance of a Land Use Permit for any construction in accordance with the approved site condominium development plan. All reasonable costs related to the preparation of said order, as established by the Township, shall be paid by the applicant to the Township Treasurer prior to Township signature and issuance of such order.

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#### **28.18 28.17** FINAL FILINGS REQUIREMENTS

Prior to the recording of the Master Deed the Township Treasurer shall certify that all taxes and special assessments are not delinquent. A copy of the Master Deed, Bylaws/ Restrictive Covenants must be recorded with the County Register of Deeds. The Township shall be provided with two (2) copies of each document, including as-built prints, and all pertinent attachments which shall remain on file with the Township.

#### 28.19 28.18 CONDOMINIUM DEVELOPMENT AMENDMENTS

Condominium Development Plans may not be amended without Township consent. Condominium amendments which are recorded prior to the receipt of written Township approval are null and void. Condominium Development Plans may be amended as follows:

#### A. Minor Amendments

Minor amendments are those which are determined by the Zoning Administrator to have no foreseeable effect beyond the condominium development boundary such as minor changes in the location of buildings, the alignment of utilities, and the alignment of interior roadways. Minor amendments for good cause may be authorized by the Zoning Administrator provided that no such changes shall increase the size or height of structures, reduce the efficiency of public facilities serving the site condominium, reduce usable open space, or encroach on natural features proposed by the plan to be protected.

#### B. Major Amendments.

Any amendment not qualifying as a minor amendment as determined by the Zoning Administrator shall be considered a major amendment and must be approved by the Planning Commission according to the procedures authorized by this Article for approval of a condominium development.

#### Updated Relevant Definitions in Article III (Highlighted)

**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.

**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.

**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 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.

**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.

### PROPOSED WITHOUT EDITS SHOWN

Note: This should be reformatted in Times New Roman and larger font to match our ordinance. These were changed during review, source unknown. Proposed Amendment (Draft)

Includes Re-numbering and PC Edits on 12-7-2022

# ARTICLE XXVIII CONDOMINIUM DEVELOPMENT REGULATIONS

(Effective March 28, 2021)

#### **28.10 INTENT**

The intent of this Article is to provide procedures and standards for the review and approval, or denial of condominium projects implemented under the provisions of the Condominium Act (Act 59 of 1978, as amended) and to ensure that such developments are consistent and compatible with conventional platted subdivisions as provided for through the Land Division Act (P.A 288 of 1967, as amended), and promote the orderly development of adjacent areas. These regulations are enacted by authority of the Condominium Act, the Michigan Zoning Enabling Act, and this Ordinance, as amended, whereby all developments utilizing any form of condominium ownership shall be reviewed, approved or disapproved by the Township.

#### 28.11 APPLICABILITY

#### **A. General Provisions**

Prior to recording of the master deed, required by Section 72 of the Condominium Act, a condominium project shall undergo a site plan review and approval by the Township in accordance with the provisions of this section. Approval under this section shall be required as a condition to the right to construct, expand or amend a condominium project in the Township.

#### **B. Plat Approval**

There shall be no requirement for plat approval for a condominium project under the Township Subdivision Control Ordinance, General Ordinance 16.

#### **C. Planned Unit Developments**

The procedural provisions of this section shall not apply to Planned Unit Developments, which are reviewed and approved through the Special Use Permit – Planned Unit Development procedures in Article 31 of this Ordinance.

#### D. Condominium Conversion

All individuals proposing a Condominium Conversion shall present the township with two copies of all required documents as indicated in the Condominium Act (Act 59 of 1978, as amended). Said review shall be conducted by the township Zoning Administrator and township attorney for compliance with the Condominium Act (Act 59 of 1978, as amended). Applicant shall be provided with a written response of approval or specific reason for failure to approve within 60 days of submission.

#### E. Mobile/Manufactured Home Condominium Project

Mobile/Manufactured home condominium projects shall conform to the requirements of this Ordinance, in accordance with the Condominium Act and other applicable Local, State laws, ordinances and regulations. Such projects hall be located only in a zoning district that provides for mobile/manufactured home. The review and approval shall be processed in accordance with this Article as a site condominium subdivision.

#### F. Site Condominium Subdivisions

- 1. Site Condominium Definition. For this section, a site condominium subdivision shall include all developments, in any zoning district, proposed under the provisions of the Condominium Act (Act 59 of 1978, as amended).
- 2. Site Condominium General Requirements. The site condominium subdivision plan indicates specific unit dimensions with front, rear and side lot lines. These parcels are also referred to as site condominium lots, and the size, location and

arrangement of these site condominium lots shall conform to the requirements of this ordinance. A condominium project is designed to function in a similar manner, or as an alternative to, a platted subdivision. Outside of the condominium lots, common elements of the development are defined for co-owners.

#### **28.12 CONSULTATION**

In determining whether to approve a condominium development plan, the Township may charge for consultation with the Township Attorney and other experts, regarding the adequacy of the master deed, deed restrictions, utility systems, and streets, site layout and design, and compliance with all requirements of the Condominium Act and this Ordinance. Estimated costs related to said consultation, shall be placed in an escrow account in addition to the standard nonrefundable application fee.

The Township may require that the applicant place additional funds in escrow if deemed necessary. Any unused consultation funds shall be returned to the applicant with an itemized record of distributions.

#### **28.13 GENERAL REQUIREMENTS**

#### A. Compliance with Federal, State and Local Laws

All condominium projects shall comply with all applicable Federal, State and local laws and ordinances. No condominium documents shall conflict with the standards of this Ordinance.

#### **B. Fee Required**

Before the Township reviews a condominium development plan, the applicant shall submit to the Township a nonrefundable application fee or preliminary review fee as established by resolution of the Board to cover the Township's cost of internal review. Such application fee shall be independent of any required consultation costs as described in Article 28.

#### C. Information Required

All condominium development plans shall include the information required by Section 66 of the Condominium Act and the material required in Section 25.11 (F). A person, firm, or corporation intending to develop a condominium development shall provide the following information:

- 1. Size and Scale Plans may be on paper and shall not be less than 24 inches by 36 inches, at a scale of at least 1 inch to 200 feet showing the date and north arrow.
- 2. The name of the proposed condominium development.
- **3.** The name, address, telephone number of:
  - a. All persons, firms, or corporations with an ownership interest in the land on which the condominium development will be located and a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee)
  - b. All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the condominium development.
  - c. The individual or entity applying for the condominium development.
- **4.** The legal description of the land on which the condominium development will be developed together with any expansion plans and appropriate tax identification numbers.
- 5. The acreage of the land on which the condominium development will be developed located.
- **6.** The land use and existing zoning of the proposed condominium development.
- 7. The following information for subject parcel and all parcels within 300 feet of the proposed site: a. Name and address of the owners b. The zoning classifications c. Existing structures or significant landmarks
- **8.** Location, type, dimensions, and proposed use of all existing structures.
- **9.** A location map showing the relationship of the proposed condominium development plan to the surrounding area.
- **10.** Statement of intended use(s). Such as, residential single-family, residential multi-family, commercial, industrial, etc. and the number of acres of each type of land use proposed.
- **11.** Condominium unit lot lines and the total number of condominium units to be developed on the subject parcel.

- **12.** Description of water system to be implemented.
- 13. Description of sanitary waste disposal system to be implemented.
- **14.** Public roads, private roads, and right-of-way easements, showing location, width, and purpose. All private roads in a condominium subdivision shall comply with the specifications of any applicable ordinance, state law, or federal law
- **15.** Existing topographic elevations at two (2) foot intervals, proposed grades, and direction of drainage flows.
- **16.** Location and types of all significant existing vegetation, water courses and bodies, flood plains and water retention areas, wetlands, and soil types. Significant vegetation includes all trees with a minimum trunk diameter of 18 inches at 4 1/2 feet above the surrounding grade.
- 17. Any additional information deemed necessary during plan review.

#### **D. Utility Easements**

The condominium development plan shall include and describe all necessary easements for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits, and other installations of a similar character providing public utilities.

#### E. Performance Guarantees

As a condition of approval of the condominium development plan by the Township, a performance guarantee may be required to ensure construction of required improvements and the completion of filing requirements before land use permits are issued. Upon fulfillment of all requirements and filings, the applicant shall apply to the Township for release of performance guarantees. Performance guarantees shall comply with the requirements in Article 25 of this Ordinance.

#### 28.14 STANDARDS AND DESIGN FOR SITE CONDOMINIUM DEVELOPMENTS

#### A. Site-Condominium Lots

The condominium development plan shall indicate specific parcel dimensions allocated to each condominium dwelling unit or lot.

#### B. Site-Condominium Development Layout and Design

The description, size, location and arrangement of the site condominium lots shall conform to the requirements of this Ordinance. The design of a condominium development shall be subject to the following requirements and quidelines.

- 1. Should there be unusual topographic or other natural feature constraints, these requirements may be adjusted to unique site conditions in accordance with the judgement of the township Planning Commission.
- 2. Each condominium lot shall comply with the requirements of each zoning district in which it is located, and all condominium lots and required setbacks shall be measured from the designated front, rear and side condominium lot lines.
- **3.** Each condominium dwelling unit shall be located within a condominium lot. In a condominium development approved for single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot.
- 4. There shall be a proper relationship between existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exit driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the Township or the County Road Commission.
- **5.** Existing natural features which add value to a residential development and enhance the attractiveness of the community shall be retained, insofar as possible, in the design of the condominium development.
- **6.** Lands subject to flooding or otherwise deemed by the Township to be uninhabitable shall not be used for uses that may increase the danger to health, life, or property or increase the flood hazard. Such land within a condominium development may be set aside for other uses, such as parks or other open space.
- 7. Easements shall provide for utilities when necessary.
- **8.** All condominium development units and accessory structures shall be accessible to emergency vehicles.

- **9.** Common open space provided shall remain open for recreational and conservational purposes and recorded as part of the master deed.
- **10.** Condominium development units having water frontage shall meet the requirements of Article 14 Easement to Waterfront.
- 11. A plan for erosion control and storm water discharge must be approved by the appropriate public agency.
- 12. All condominium developments shall obtain approval from all applicable governing agencies.

#### **28.15 REVIEW PROCEDURES**

#### A. Preliminary Review

Any applicant can request a preliminary review of a proposed condominium development with the Planner, Zoning Administrator and one to two Planning Commissioners. This review allows an open dialogue and an opportunity to discuss a proposed goals, features, location and scope of operations prior to a formal application. Preliminary Review is available as a sounding board only, no decisions or approvals shall be rendered, either stated or implied.

#### **B. Agency Submittal**

The applicant shall provide necessary full size hard copies and an electronic file (.pdf) of the proposed condominium development plan to Whitewater Township and the following Grand Traverse County Agencies: Health Department (or Department of Public Works if proposed on municipal water and/or sanitary sewer), Drain Commission, Soil Erosion, and Road Commission (or Michigan Department of Transportation if proposed on a state highway), as well as the Michigan Department of Environment, Great Lakes, and Energy (when sensitive areas and wetlands are a concern), and the Whitewater Township Fire Department or the respective successor for any of the above agencies. The Zoning Administrator shall distribute the proposed condominium development plans to the Planning Commission, Board of Trustees, and other parties as required.

#### C. Site Plan Review and Public Hearing

The Planning Commission shall hold a public hearing in accordance with site plan review requirements contained in Article 25, on the proposed site condominium development plan for the purpose of receiving input from the public regarding the proposed development.

#### **D. Planning Commission Determination**

After the public hearing held in accordance with Article 25, the Planning Commission shall make a determination and recommendation to the Township Board regarding whether the proposed plan meets all the requirements of this Ordinance and the Condominium Act. If the proposal is found in compliance, the Planning Commission shall recommend approval or approval with conditions of the site condominium development plan and shall send written notice of action taken with comments to the Township Board and applicant.

If the Planning Commission determines that the condominium development plan does not meet all requirements, the Planning Commission shall state its reason in its official minutes and shall provide written notice of said decision to the Township Board and applicant. The Planning Commission shall not recommend approval of the project until all requirements of this Ordinance and the Condominium Act have been met.

#### **E. Township Board Procedure**

The Township Board shall not review, approve or reject a condominium development until it has received from the Planning Commission its report and recommendations.

The Township Board shall consider the condominium development plan at its next meeting after receipt of the report and recommendations from the Planning Commission provided all documents are received 15 days prior to meeting date. The Board shall render a written decision within 15 days of their meeting unless the applicant and Board agree to a later deadline.

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The Township Board shall approve the condominium development plan, with or without conditions, reject the plan and give its reasons, table the proceedings pending further review or pending changes to the plan to make it acceptable to the Board, or refer that application back to the Planning Commission for further review and report.

#### 28.16 CONDITIONS AND DURATION OF APPROVAL

#### A. Conditions

The approval of the Board of Trustees will indicate that the proposed condominium development plan meets the ordinances and regulations of Whitewater Township but does not cover additional permits that may be required after the Master Deed has been recorded. The Township may impose reasonable conditions on the approval of any condominium development plan consistent with the Condominium Act, this Ordinance, and the protection of public health, safety and welfare.

#### **B. Duration**

Approval of the condominium development plan by the Township shall be for a period of two (2) years from the date of approval. If no Master Deed is recorded with the Grand Traverse County Register of Deeds Office within two years of approval, such approval shall be considered null and void. The Zoning Administrator may extend the two-year period by one additional year if applied for by the applicant subject to satisfying all requirements of Article 25.

#### C. Condominium Development Plan Approval Contract

If the Township Board approves the site condominium development plan, it shall prepare a written order setting forth the conditions upon which the approval is based. Such order shall be entered into between the Township and the applicant prior to the issuance of a Land Use Permit for any construction in accordance with the approved site condominium development plan. All reasonable costs related to the preparation of said order, as established by the Township, shall be paid by the applicant to the Township Treasurer prior to Township signature and issuance of such order.

#### **28.17 FINAL FILINGS REQUIREMENTS**

Prior to the recording of the Master Deed the Township Treasurer shall certify that all taxes and special assessments are not delinquent. A copy of the Master Deed, Bylaws/ Restrictive Covenants must be recorded with the County Register of Deeds. The Township shall be provided with two (2) copies of each document, including as-built prints, and all pertinent attachments which shall remain on file with the Township.

#### **28.18 CONDOMINIUM DEVELOPMENT AMENDMENTS**

Condominium Development Plans may not be amended without Township consent. Condominium amendments which are recorded prior to the receipt of written Township approval are null and void. Condominium Development Plans may be amended as follows:

#### A. Minor Amendments

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#### B. Major Amendments.

Any amendment not qualifying as a minor amendment as determined by the Zoning Administrator shall be considered a major amendment and must be approved by the Planning Commission according to the procedures authorized by this Article for approval of a condominium development.

#### **Updated Relevant Definitions in Article III** (Highlighted)

**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.

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**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.

#### WHITEWATER TOWNSHIP PLANNING COMMISSION MINUTES FOR REGULAR MEETING January 4, 2023

Call to Order at 6:00 p.m.

Roll Call: In person: DeYoung, Jacobson, Keaton, Rebant, Steelman, Wroubel, Vollmuth

Absent:

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 5

<u>Set / Adjust Agenda:</u> move 10.b (Article 25, SUP commercial campgrounds) to the end of the agenda add introductions before Declaration of Conflict of Interest.

Members introduce themselves.

<u>Declaration of Conflict of Interest:</u> Vollmuth passed out definition of conflict of interest.

Keaton notes High Pointe Golf course touches his property for future discussion. Keaton indicates that he will not recuse himself from discussion of the golf course. Legal opinion indicates that Keaton should recuse himself. If the attorney comes back with the same opinion Keaton indicates that he will not continue on the PC.

Commission discussion ensued regarding conflict of interest.

Vollmuth will contact attorney for additional clarification.

According to the PC bylaws the Commission votes to make the decision if recusal necessary or not on a particular issue.

#### **Public Comment:**

Public comment began at 6:33 p.m.

Connie Hymore

Comment read by Connie Hymore for Vicki Beam

Public comment ended at 6:38 p.m.

Public Hearing: None

## Approval of Minutes:

MOTION by DeYoung, to approve the minutes of December 7, 2022, as amended; second by Steelman.

Roll call: Wroubel-yes; Jacobson-yes; Keaton-yes; Rebant-yes; DeYoung-yes; Steelman-yes; Vollmuth-yes. Motion carried.

Correspondence: None

#### Reports:

Zoning Administrator Report, Hall: Note read by Jacobson: The Planner's submission regarding Article 28 are thoughtful and well represented, easy to follow. Anticipating the Baggs Road Condo application in the near future. High Pointe Golf course will be back, likely, in February after the road study had been completed.

Chair's Report, Jacobson: Consistent communication is necessary.

Township Board Rep, Vollmuth: Has spoken with the Board regarding attorney opinions and wanting reasons for changes presented by legal regarding amendments and ordinances. Discussion ensued regarding communication with the board. PC would like to have a joint meeting with the Board. Make an agenda item in February to discuss communication with the Board and have Heidi make the same request of the Board. Then have a joint meeting where the communication ideas can be discussed.

Communication with the Board is very important.

ZBA Representative, Wroubel: No cases in December. Annual housekeeping are on the agenda for January. Carl has signed up for the online MSU Extension Water 101 course.

Committee Reports: None.

Planner, Mielnik: will be presented in the agenda items.

#### **Unfinished Business:**

- 1. Article 28, Condo Regulations and related Article 3 Definitions public hearing postponed.
- 2. Status update on ZO Amendments to 1, 12 and 14: Comments received. Discuss with the Board.
- 3. Article 25, SUP Commercial Campgrounds recommendations: Moved to end of the meeting.
- 4. Master Plan Review discussion and community outreach plan: Create a Resident Outreach Committee (ROC), survey, recognize core issues. The committee can be PC and community members. Community members can reach out to the two PC members with interest in serving on the committee. Looking for three or five community members.

Consensus to create the working committee that work together and then bring back communications. Rachel and Rod are interested as PC members. Put out a request via email blast, post on the door and the website. Keith will bring back information on PSAs.

#### New Business:

1. Appointment of officers:

Jacobson nominates Steelman for Chair. Steelman Accepts.

MOTION by Jacobson, second by Vollmuth for Steelman to serve as Chair.

Roll call vote: Jacobson-yes; Keaton-yes; Rebant-yes; DeYoung-yes; Steelman-yes; Vollmuth-yes; Wroubel-yes. Motion carried.

Steelman nominates Keaton for Vice Chair. Keaton accepts.

MOTION by Steelman, second by Jacobson for Keaton to serve as Vice Chair.

Roll call vote: Keaton-yes; Rebant-yes; DeYoung-yes; Steelman-yes; Vollmuth-yes; Wroubel-yes; Jacobson-yes. Motion carried.

Keaton nominates Jacobson for Secretary. Jacobson accepts.

MOTION by Keaton, second by Vollmuth for Jacobson to serve as Secretary.

Roll call vote: Rebant-yes; DeYoung-yes; Steelman-yes; Vollmuth-yes; Wroubel-yes; Jacobson-yes; Keaton-yes. Motion carried.

2. Planning Commission Bylaws review / read through.

Section 1, F – Vollmuth will come back with roles.

Add Ex Parte - Mielnik

Add deadlines for presentation of information/plans to be included in the agenda / packet (example – 14 days).

The agenda / packet deadline – posting and getting the packets available.

Section 2, B – Steelman, Section 9, ROC

Section 2, C – Keaton and conflict of interest

Section 2, D – Jacobson

Section 1, G - Wroubel

Create a guideline, standard operating procedure (SOP), that can be presented to new members. Does not need to be included in the bylaws. Vollmuth and DeYoung will work on an SOP / policy and procedures.

Steelman ran through action items for each.

DeYoung will work with Mielnik. Scope of services, including zoning ordinance work, not just master plan work. Increase planner budget.

Vollmuth noted a "point of order" at the three hour mark of the meeting.

MOTION by Vollmuth to extend the meeting, second by DeYoung.

Roll call: DeYoung-yes; Steelman-yes; Vollmuth-yes; Wroubel-yes; Jacobson-yes; Keaton-yes; Rebant-yes. Motion carried.

Resolution #PC23-01, 2023/2024 meeting dates
 MOTION by Steelman, second by Vollmuth to adopt Resolution #PC23-01, 2023/2024 meeting dates.

 Roll call vote: Steelman-yes; Vollmuth-yes; Wroubel-yes; Jacobson-yes; Keaton-yes; Rebant-yes; DeYoung-yes. Motion carried.

4. Discussion of direction of PC, has been a part of this meeting including planning and communication.

MOTION by Steelman, second by Keaton, to recommend the planner present scope of service to the Board to address the zoning ordinance as presented in the Keaton memo for up to an additional \$15,000. Roll call vote: Steelman-yes; Vollmuth-yes; Wroubel-yes; Jacobson-yes; Keaton-yes; Rebant-yes, DeYoung-yes. Motion carried.

Next Regular Meeting February, 1, 2023, 6 p.m.

Agenda: Public hearing, master plan, commercial campgrounds, resident outreach committee, bylaws, standing operating procedure/policies and procedure, joint meeting.

#### Public Comment:

Public comment began at 9:31 p.m.
Sue Mielnik
Denise Peltonen
Kim Mangus
Vicki Beam
Connie Hymore
Public comment ended at 9:43 p.m.

Commission Discussion/Comments: Good to have a board representative.

Continuing Education: Citizen Planner update

Adjournment: 9:45 p.m.

Tabled items: Article 5 Districts

Respectfully Submitted Lois MacLean, Recording Secretary

#### 01/22/2023

#### Evening TEAM!

I wish I could be there with you, well, sort of... I'll be soaking up some vitamin D but I am definitely looking forward to hearing about the progress you make tonight!

#### General Updates:

- Feedback I value feedback. What did you think of the action items lists? More or less? What else can I/we do to streamline our processes? Email, call, or text me your thoughts, questions, concerns, etc. anytime.
- Annual Report I'm working on this with help from others and plan to bring the Annual Report to our March meeting for your review.
- PC Member "tools" -
  - Ozoning Ordinances (1 blue binder each) and General Ordinances (2 white binders each) Supervisor Popp, Denise, and I have spent a number of hours on these. They are very close to being ready for distribution. If you have an hour two free to finish, we'd love your assistance. A time to do so can be coordinated with Supervisor Popp and his schedule.
  - 2009 Survey Results Available on PC webpage. If you would like a hard copy please let me know.
     <a href="https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/whitewatertownship\_2009\_community\_input\_survey\_final.pdf">https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/whitewatertownship\_2009\_community\_input\_survey\_final.pdf</a>
  - Master Plan Available on PC webpage. If you would like a hard copy please let me know.
     <a href="https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/whitewatermaster-plan-draft-high-quality-posted-to-website-05152015.pdf">https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/whitewatermaster-plan-draft-high-quality-posted-to-website-05152015.pdf</a>
  - Books The Township Guide to Planning & Zoning & Township Planning & Zoning Decision-making were requested on 01/05 for Keith and Rod.
     Clerk indicated she would prepare a purchase order and get them ordered.
  - Citizen Planner sign up information was shared with Keith and Rod on 01/05.
  - Township Issued computers were on the January Board agenda. The delay appears to be related to cc maximums and the cost associated with purchasing computers. Heidi will give an update on this.

#### **Unfinished Business:**

 ROS/Master Plan - The name was changed from Resident Outreach Committee (ROC) to Resident Outreach <u>Sub</u>committee (ROS). We had two citizens

- respond. I am thankful for their willingness to help and look forward to working with them in the near future.
- Bylaws I love seeing the teamwork come alive in this document. I look forward
  to hearing the discussion surrounding the proposed changes and expect it will be
  ready for adoption and implementation following this meeting.
- Joint Board meeting discussion
  - Rod's suggestions and third party involvement are in line with my thoughts. He will expand.
  - PC expectations I have addressed many of my expectations as far as roles and responsibilities in the Bylaws. Overall, I expect we operate as a team with trust and respect for one another including our opinions. We share the workload, complete tasks timely, and prepare for our meetings. I expect we remind ourselves and each other why we are here on a regular basis, "for the greater good" and we adopt this as our motto.
  - o Board expectations same as PC expectations.

#### **New Business:**

- A. Priorities discussion I look forward to hearing your thoughts on where the PC priorities should be over the next year. I suggest these 3 be on the list:
  - 1. Master Plan
  - 2. ZO Revamp project By doing so, we can easily identify areas requiring updating/corrections, missing, etc.., have a usable document to make and depict changes from, and are able to align ZO's with the Master Plan. This will help identify our future priorities and save us time in the long run.
  - 3. Education and/or team building I suggest this (10-15 minute) standing agenda item rotates PC Members, each taking a turn at meetings to share, teach, and/or bring in an expert to share/teach the team. If agreed, who will take March?

Thank you for your service and dedication to our beautiful township and the greater good! I will see you all in March but as always, reach out anytime.

Rachel

231-218-3010

# PC Agenda Item 10.a.i.

Whitewater Townships Master Plan Resident Outreach Subcommittee:

- 1. Randy Mielnik PC Planner randy@northplaceplanning.com
- 2. Rachel Steelman PC rsteelmanpc@yahoo.com
- 3. Rod Rebrant PC rrrebrant@gmail.com
- 4. Dr. Tom McElwee Whitewater Resident tlmce@live.com
- 5. Vicki Beam Whitewater Resident vickibeam@gmail.com

TO: Whitewater Township Planning Commission

From: Keith DeYoung, Planning Commission Member

Subject: How to Write a PSA (Public Service Announcement)

### What is a PSA (Public Service Announcement)?

A public service announcement (PSA) is a short, community-oriented message that radio stations air at no cost in order to fulfill their obligation to serve the public interest. PSAs are a cost-effective way for non-profit organizations to raise awareness about the benefits their organizations provide. Radio stations receive PSAs as audio files – typically recorded as :30 or :60-second messages. These files can be accompanied by scripts for announcers to read live on air. Through appropriate distribution, they can be targeted to preferred demographics and markets.

Radio stations have a vested interest in serving their communities, and they really do want to help promote your non-profit message. However, depending on the time of year and the markets you want to reach, there might be dozens of other organizations competing for airtime.

Here is our list of the top five things you can implement as you conceive, write and produce your public service announcement to ensure your message reaches and resonates with the right audience.

# **How to Write a PSA (Public Service Announcement)**

#### 1. Be Authentic

PSAs must be linked to a 501(c)(3) tax-exempt, non-profit organization with local or national recognition. One way to ensure that your public service announcement gets the attention of radio

station public affairs directors is to include an appeal on your organizational letterhead, signed by your communications director or your president. You'll also want to direct their attention to your website and social media pages where they can find more information about your organization. If you are active and making an impact in your community, it should be visible online which will help increase your credibility and improve your odds of having your message air.

Every station has a different vetting process, but here's a typical example from a station website of their requirements for submitting a PSA:

To Submit a PSA please email our Public Affairs Director with the following info:

- 501(c)(3) Charity/NonProfit official name
- Description of event, initiative or cause
- Name of event, date, time and location, and a website if there is one.
- Description of who your organization benefits, and how donations work (what portion of the proceeds go to the beneficiaries)
- Your name, title and phone number

# 2. Keep It Simple – Easy – Quick

The key to getting a quick response is to make it simple for stations to access the PSA and reply. Provide them with an easy way to download the PSA and script from a website and an automated way to let you know if they're using it. Years ago, we would record the PSAs onto CDs which we mailed to stations with an introductory

letter, a copy of the script, and a self-addressed stamped postcard for them to respond. It worked fine then, but now our PSAs are submitted digitally and we get a much higher rate of participation and trackable response.

### 3. Carefully Select Format & Delivery

It's best to create both a :30 second (65-90 words) and a :60 second (150-180 words) version of your public service announcement and to include the scripts of both versions, or alternate scripted versions. Some stations won't air the produced piece but will instead enlist one of their hosts to read it on-air — we call that a "live reader." For an American Cancer Society PSA, we produced recorded versions of a 60-second and 30-second PSA, and a 15-second live reader script as well, after several stations requested something shorter than the 30-second option.

I have complied a list of Radio, Newspaper and TV contacts that we can place in a Standard Operating Procedure like the one I presented here today if the Commission approves.

Keith DeYoung

Key To Source of Edits/ Changes Carl Wroubel, Keith DeYoung, Rachel Steelman, Randy Mielnik

### **Whitewater Township Planning Commission Bylaws**

Adoption Date:

The following rules of procedure are hereby adopted by the Whitewater Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.* 

#### **SECTION 1: MEMBERSHIP**

- A. Membership Size The Planning Commission (PC) shall consist of seven (7) members.
- B. Membership Terms of Office Members are appointed by the Township Supervisor for staggered three-year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the PC to function with less than the seven (7) members provided.
- D. Membership Qualification All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation Membership shall be representative of the important segments of the community including:
  - 1. Agriculture
  - 2. Natural Resources/Environmental
  - 3. Recreation
  - 4. Education
  - 5. Public Health/Safety
  - 6. Government
  - 7. Transportation
  - 8. Industry
  - 9. Commérce
  - 10. Waterfront Owner
  - 11. Building Trades
  - 12. Resident at Large

Commented [RM1]:

- F. Township Board Representation One member of the Township Board shall serve as a member of the PC. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity. As a Township Board representative, he or she shall prepare and share a report on PC activities at Board meetings, and shall act as a primary liaison between the PC and the Board. The Township Board representative shall also present proposed PC action items at Township Board meetings for consideration. The Township Board representative may not serve as an officer of the PC.
- G. Zoning Board of Appeals Representation The Michigan Zoning Enabling Act requires Townships that enact a zoning ordinance to have a Zoning Board of Appeals (ZBA). The ZBA is responsible for ruling on appeals of administrative decisions and zoning ordinance requirements. The processes are explained in the ZBA handbook published by the Michigan Municipal League, and in the Whitewater Township Zoning Ordinance itself. One member of the PC shall be appointed by the supervisor to serve as a member of the (ZBA). His/her term shall coincide with their appointment to the PC. The PC chair shall provide the supervisor with a recommendation for appointment following consultation with the PC membership. The PC member reports to the ZBA on relevant PC actions, proposed ordinances and, developments etc..., and responds to questions regarding the spirit and intent of ordinances. The PC member reports back to the PC on ZBA decisions and any issues the ZBA would like assistance on.
- H. Meeting Participation The Township Attorney, Planner, Zoning Administrator and any township planning staff shall have the ability to participate in discussions of the PC as they deliberate on agenda items during meetings.
- I. Zoning Administrator The Zoning Administrator shall carry out all responsibilities associated with an employment contract, or job description (if an employee). Such responsibilities should include assisting with the development of the PC annual report, preparation of required legal notices and preparation of materials needed to support development-related PC action items.
- J. Planner- Subject to applicable contractual terms, the Planner may assist with updates to the Master Plan and zoning ordinance amendments. The Planner may also assist with independent reviews of development-related PC action items (special use approvals, site plans, etc...).

#### **SECTION 2: OFFICERS**

- A. Selection and Tenure At the first regular meeting each January, the PC shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year and shall be eligible for re-election for consecutive terms for the same office (consider officer term limits?). The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the PC is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the PC shall continue their services as officers until elections are held.
- B. Chairperson The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the PC, including recommending the ZBA Representative to the Township Board when a vacancy occurs. Other roles and responsibilities include:

- 1. Preside at all meetings
- Appoint committees
- 3. Agenda creation and submission
- 4. Prepare/begin/draft Annual Report with Zoning Administrator?
- Inform Clerk of any necessary meeting date and/or time changes within 48 hours of known change
- Create Action Item list and distribute within 72 business hours of meeting to PC members
- C. Vice Chairperson The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the PC shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary The Secretary shall execute documents in the name of the PC and shall perform such other duties as the PC may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties. Other roles and responsibilities include:
  - Ensure hall setup is complete 5 minutes prior to meeting start time (mics checked, name tags, recording equipment, Zoom, chairs, tables, etc.)
  - 2. Conduct Roll Calls
  - 3. Monitor zoom & equipment
  - Take notes
  - Assist with meeting packet organization and posting in a timely manner.

#### **SECTION 3: MEETINGS**

The business the PC may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The PC may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

A. Regular Meetings – Meetings of the PC shall be held on the First Wednesday of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 6:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the PC shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular PC meetings shall be posted at Township Hall each year in accordance with the Open Meetings Act and on the township website.

- **B. Special Meetings -** Special meetings may be called by the Chairperson or upon written request to the secretary by at least two members of the PC. Notice of special meetings shall be given to the members of the PC at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- C. Notice Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute. All PC agendas and notices will be posted on the Township website, whitewatertownship.org. and in all other Township designated locations.

- D. Public Hearings All public hearings held by the PC must be held as part of a regular or special meeting of the PC.
  - 1. Public Hearings that will result in the consideration of amending the Zoning Ordinance text or map shall be set by motion of the PC.
  - Public Hearings that are required for site plan and/or special use consideration may be set in accordance with the PC regular schedule by the Zoning Administrator.
- E. Agenda Per, Section 2B above, the chairperson is responsible for preparing a tentative agenda, with assistance from the Zoning Administrator and/or Recording Secretary, if requested. The agenda may be modified by quorum of the PC. The PC may only take action on items that appear on the agenda.
- F. Quorum Four (4) members of the PC shall constitute a quorum for transacting business and taking official action for all matters with the exception of Master Plan adoption or amendments (see G below).
- G. Voting An affirmative vote of 2/3 of the members of the PC is required to recommend approval of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the PC may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any PC member or directed by the chairperson. Except in the case of conflict of interest, all PC members, including the Chairperson and ex officio member, shall vote on all matters.
- H. Public Records All meetings, minutes, records, documents, correspondence and other materials of the PC shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- Parliamentary Procedure Parliamentary procedure in <u>PC</u> meetings shall be governed by Roberts Rules of Order.

#### **SECTION 4: DUTIES OF THE PC**

The PC shall perform the following duties:

- **A.** Prepare, review, and update a master plan as a guide for development within the Township's planning jurisdiction.
- B. Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- C. Take such action on petitions, staff proposals and Township Board requests for amendments to the Master Plan as required.

- D. At the beginning of each year the Chairperson shall appoint one member of the PC to prepare an annual written report of the PC's accomplishments, development and planning activities for the Township Board. As required by the Michigan Planning Enabling Act, this report will include the status of planning activities, including recommendations regarding actions by the Township Board. This report will be presented to the PC for approval before presentation to the Township Board. This report should be presented to the Township Board at the first meeting of the following year.
- E. Take such actions as authorized or required by the Michigan Planning Enabling Act.
- **F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act, and Whitewater Township Zoning Ordinance.
- **G.** Review condominium subdivision projects and recommend appropriate actions to the Township Board.
- H. Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

#### **SECTION 5: ABSENCES AND REMOVALS**

- A. To be excused, members of the PC shall notify the PC Chairperson, other Planning-Commission member or Township Staff when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- **B.** Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.
- C. Following three consecutive absences or six within any 12-month period, the PC Chairperson shall present to the Township Board a recommendation for dismissal or continued service of a member.

#### **SECTION 6: CONFLICT OF INTEREST**

During the Declaration of Conflict of Interest portion of the agenda, PC member(s) shall disclose the potential conflict of interest to the full PC membership. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

Conflict of interest is defined as, and a PC member shall declare a conflict of interest and abstain from participating in PC deliberations and voting on a request, when:

A. An immediate family member is involved in any request for which the PC is asked to make a decision. "Immediate family member" is defined as a spouse, mother, father, sister, brother, son, or daughter, including an adopted child.

- **B.** The PC member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
- C. The PC member owns or has a financial interest in neighboring property or property within a notification zone.
- D. These guidelines shall be superseded when the "rule of necessity" is invoked.

If there is a question whether a conflict of interest exists or not, the question shall be put before the PC. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the PC.

In the event that a conflict is declared, the member shall remove themselves from the meeting table until the agenda item is concluded.

### SECTION 7: COMPENSATION

PC members will receive compensation on a per meeting basis as determined by the Township of Whitewater Board of Trustees. PC members may receive reimbursement for travel and expenses with recommendation by the PC and approval by the Township Board.

### **SECTION 8: EDUCATION**

Members shall complete one training/educational program each year. Training may be provided when available at regular meetings of the PC by other PC members, the Planner or Zoning Administrator and will qualify as acceptable training. Additional training from professional or educational organizations is also encouraged.

## **SECTION 9: ORDER OF BUSINESS**

The order of business shall be as follows:

- 1. Microphone Check, Call to Order/Pledge of Allegiance
- 2. Roll Call of PC Members
- Set/Adjust Meeting Agenda
- 4. Declaration of Conflict of Interest pertinent to agenda items
- 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.
  - 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
  - Persons may address the PC on matters that are relevant to Township planning and zoning issues.
  - No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC members' questions.
  - e. Public comment shall be limited to 3 minutes per person.
- 6. Public Hearing
  - a. Open public hearing/ state time.

- b. Request those attending sign attendance sheet.
- c. State date of public hearing notice publication and newspaper published in.
- d. State purpose of public hearing.
- e. Brief Introductory Presentation (Zoning Admin. Planner, Applicant/Agent, etc).
- f. Read any written comments received.
- g. Receive public comment.
- h. Close public hearing/state time.

Questions shall be addressed through the Chair during the public hearing. PC discussion and action shall take place after the public hearing is closed. Action may also take place at a subsequent PC meeting.

- 7. Approval of Minutes of Previous Meeting(s)
- 8. Correspondence
- 9. Reports/Presentations/Announcements/Comments
  - a. Zoning Administrator
  - b. Chair
  - c. Township Board Representative
  - d. ZBA Representative
  - e. Committee Reports
  - f. Additional Items
- Additional items
   Unfinished Business
- 11. New Business
- 12. Next Meeting Agenda (Review action items, due dates, meeting date/time)
- 13. Public Comment
- 14. PC Discussion/Comments
- 15. Continuing Education (5-15 minutes at each meeting)
- 16. Adjournment

## **SECTION 10: EX-PARTE COMMUNICATIONS**

Pursuant to the Open Meetings Act, a "meeting" is <u>any</u> gathering of a quorum of members of a governmental body to discuss, or take action on, official business or policy. The term "meeting" also applies to information-gathering and fact-finding sessions at any location where a quorum of members is present and discussions include a public business item. All meetings must be property noticed and advertised pursuant to the Open Meetings Act.

Members of the PC may not email, text or engage in other forms of electronic communication during, or outside of formal meetings for the purpose of sharing information or asking questions related to any action item. Additionally, it is the policy of the PC to not take part in meetings of three or more PC members at any location with an applicant to discuss a pending action item. Such communication may constitute deliberations toward decision-making or an actual decision.

## **SECTION 11: SUBMITTAL DEADLINES**

To facilitate timely action on agenda items, it the policy of the PC to require complete applications, applicable fees and related supporting material to be submitted to the Zoning Administrator no less than ten working days before a scheduled PC meeting. This provides time to review material, determine its completeness, place it on the meeting agenda and include all relevant materials in the meeting packet. If changes, updates, or additional information related to application for an action item is provided less than ten working days before a PC meeting, the

PC reserves the right to defer consideration of such additional or updated material to a subsequent meeting.

## **SECTION 12: MEETING PACKETS**

To ensure that PC members and the public have adequate time to review the agenda, and supporting materials for an upcoming meeting, the PC will aim toward making meeting packets available by the close of business on the day that is one week before the meeting. Pursuant to Section 3A above, the packet should be available by 5 PM on the prior Wednesday.

# **SECTION 13: AMENDMENTS**

These bylaws may be amended at any time following a recommendation of the majority of the membership of the PC and subsequent notification to the Township Board. It is the policy of the PC to review these by-laws in January of each year and thereafter, make necessary changes to maintain a relevant and useful set of rules of conduct and practice.

## Resolution #PC23-01 Revised

# Resolution for Whitewater Township Planning Commission Regular Meeting Schedule for 2023/2024 Whitewater Township Grand Traverse County, Michigan

**Be It Resolved** that the Whitewater Township Planning Commission will meet in regular sessions for the 2023/2024 fiscal year on the following dates at 6 p.m., unless otherwise noted, at the Whitewater Township Hall, 5777 Vinton Rd., Williamsburg, Michigan.

Wednesday, April 5, 2023

	Wednesday, May 3, 2023		
	Wednesday, June 7, 2023		
	Wednesday, July 12, 2023		
	Wednesday, August 2, 2023		
	Wednesday, September 6, 2023		
	Wednesday, October 4, 2023		
	Wednesday, November 1, 2022		
	Wednesday, December 6, 2023		
	Wednesday, January 3, 2024		
	Wednesday, February 7, 2024		
	Wednesday, March 6, 2024		
A motion to adopt the foreg	oing Resolution was made by	and seconded by	
Jpon roll call vote, the follow	wing voted:		
DeYoung -			
Jacobson -			
Keaton -			
Rebant -			
Steelman -			
Wroubel -			
Vollmuth -			
Resolution declared adopted	۵.		
hat the foregoing is a true a	and complete copy of certain proceedings	mmission, Grand Traverse County, Michigan, do here taken by the Whitewater Township Planning Commine adoption of Resolution #PC23-01-revised.	-

**To: Whitewater Township Planning Commission** 

From: Keith DeYoung, Planning Commission Member

**Date: February 2023** 

**Subject: Standard Operating Procedures (SOP)** 

I have attached a Draft SOP-201 on the Master Plan. Heidi will answer any questions you might have on this first Draft. I will be back next month for any other questions regarding the SOPs. I will be glad to continue writing the SOPs if the Commission so desires. Below is Answers to questions you might have on this subject.

# What is a Standard Operating Procedure Manual (SOP)?

An SOP manual brings together all the individual SOPs and makes sure they are consistent. It eliminates contradictory procedures and ensures that all SOPs comply with laws, regulations, and industry best practices.

When standard operating procedures are compiled into an SOP manual, it gives a broader picture of how things should run for the organization to meet its goals, provide quality service, and operate efficiently. It creates consistency in practices across the organization and improves productivity.

# Steps in creating an SOP.

Standard operating procedures are so much more than a list of rules. It's important to highlight the "why" as well as the "how" behind each procedure.

This means starting with the end result in mind. As you gather a team to brainstorm, think through the problems you need to solve.

What is the best way to address those issues? Does the method align with your organization's core values? How does each SOP tie into your broader goals and mission?

While you may not include a detailed description of this in every SOP, regularly communicating the reason behind the rule can help employees see why procedures matter.

Plus, it can help them make good decisions in tricky situations where it's hard to determine how to apply the rules.

# Select a common SOP format.

Don't let inconsistencies in formatting or design detract from the content of your SOP manual. Each SOP within the manual should follow the same format. You will need to choose a layout that works best for your organization.

Typical SOP sections include:

Document header – with the title, date, author, document ID, approved by, department, company logo, and so on.

Purpose – a broad overview of why the SOP exists and what it aims to accomplish.

Scope – who is supposed to follow the SOP and what it covers.

Definitions – clarifying any abbreviations or uncommon terms or phrases.

Policy/Procedure – the main part of the SOP, spelling out expectations, guidelines, and steps to follow.

Responsibilities – who is responsible for each task.

References/Related Documents – standards, laws, regulations related to the task outlined in the SOP. Or other related SOPs.

Process Map – for complex processes, it may be helpful to diagram workflows.

# Identify current subject-matter experts.

One person can't create a comprehensive SOP manual alone. Seek advice and input from people from different departments and various levels of the organization.

Figure out who knows the current process the best, and talk to the employees who will follow the SOP as well as the supervisors who will enforce it.

This will give you a broader perspective and help you identify where processes are working well and where they can be improved.

For some policies, especially those in high-liability areas, you may also want to seek out external experts or consult with your legal department.

# Keith DeYoung

# **Standard Operating Procedure**

# **Whitewater Township Planning Commission**

**Title:** SOP-201 Master plan; adoption, amendment, and implementation by local government; purpose

Authority: MICHIGAN PLANNING ENABLING ACT Act 33 of 2008 Site

125.3807

**Prepared for:** Whitewater Township Planning Commission

Issue Date: Revision Date:

**Prepared by:** Keith DeYoung Approved by:

Purpose: Adopt, amend, and implement a master plan.

**Scope:** Whitewater Township Planning Commission Members

# Policy/Procedure:

Master plan is to guide and accomplish, in the planning jurisdiction and its environs, development that satisfies all of the following criteria:

- A. Is coordinated, adjusted, harmonious, efficient, and economical.
- B. Consider the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development.
- C. Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.
- D. Includes, among other things, promotion of or adequate provision for 1 or more of the following:

- 1. A system of transportation to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.
- 2. Safety from fire and other dangers.
- 3. Light and air.
- 4. Healthful and convenient distribution of population.
- 5. Good civic design and arrangement and wise and efficient expenditure of public funds.
- 6. Public utilities such as sewage disposal and water supply and other public improvements.
- 7. Recreation.
- 8. The use of resources in accordance with their character and adaptability
- E. The Planning Commission should review the Master Plan annually to ensure that staff, elected and appointed officials have an understanding of the planning documents.
  - 1. Review prior year's rezonings and development decisions. Discuss any trends that need to be addressed.
  - 2. Identify any potential plan amendments to work on for the upcoming year that can be prepared and adopted then incorporated at a later date when the master plan is updated.
    - a. This could include
      - 1) Subarea plans.
      - 2) studies prepared that need to be incorporated in the plan.
      - 3) Planning topics that need to be added or refreshed such as complete streets or placemaking.
  - 3. Identify any zoning ordinance updates to undertake in the coming year.
  - 4. Review the update checklist attached to decide whether the plan needs to be "opened up" and officially updated.
- F. The review should be documented as part of the annual report that is required by the MPEA Section 125.3819 so that once the five year

period is over, the interim years activities can be summarized when deciding whether the plan needs to be amended. This annual report should be presented to the Township Board and include the following.

- 1. Membership
- 2. Number of planning commission meetings
- 3. Master plan implementation
- 4. Zoning ordinance map and text amendments
- 5. Major development reviews (including a brief description, whether it was approved and date of action)
- G. The Planning Commission should encourage and support an annual joint meeting of the Township Board and Planning Commission to summarize the year's accomplishments and set priorities for the next year.
  - 1. Refresh officials on what a master plan is and what the adopted plan entails.
  - 2. Recap development, projects and progress made in the previous year.
  - 3. Summarize actions that were completed in the past year and the upcoming year's action priorities.
- H. Master Plan review notifications per MICHIGAN PLANNING ENABLING ACT, Act 33 of 2008 125.3839.
  - 1. Before preparing a master plan, a planning commission shall send to all of the following, by first-class mail or personal delivery, a notice explaining that the planning commission intends to prepare a master plan and requesting the recipient's cooperation and comment:
    - a. Each municipality located within or contiguous to the local unit of government.
    - Each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that

registers its name and mailing address for this purpose with the planning commission.

**Responsibilities:** Each year the Commission Chair shall assign tasks with Commission approval.

# **References/Related Documents:**

- A. Sources for Information and help with the Master Plan Reviews.
  - 1. Michigan Planning Enabling Act, Act 33 of 2008
    - a. <a href="http://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-33-of-2008.pdf">http://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-33-of-2008.pdf</a>
  - 2. MSU Extension Service Check List # 1H: The Five-Year Plan Review
    - a. <a href="https://www.canr.msu.edu/planning/uploads/files/cklist1h\_fiveyearplanreview.pdf">https://www.canr.msu.edu/planning/uploads/files/cklist1h\_fiveyearplanreview.pdf</a>
  - 3. Handbook for General Law Village Officials, Section 2: Roles and Responsibilities, Chapter 9: Planning and Zoning
    - a. <a href="https://www.mml.org/pdf/resources/publications/ebooks/G">https://www.mml.org/pdf/resources/publications/ebooks/G</a>
       LV Hamdbook by chapter/CH%209%20Planning%20and%2
       OZoning.pdf
  - 4. Master Plan Update Guide, Redevelopment Ready Communities Tool.
    - a. <a href="https://www.miplace.org/4a7334/globalassets/documents/r">https://www.miplace.org/4a7334/globalassets/documents/r</a> <a href="rc/rrc-guide-master-plan.pdf">rc/rrc-guide-master-plan.pdf</a>

# **Update Review Table, Master Plan**

Annual	5- Year	CRITERIA	Yes	No	Comments
<b>✓</b>	<b>✓</b>	Have development patterns changed significantly since the plan was written and adopted?			
<b>✓</b>	<b>✓</b>	Does the adopted zoning ordinance align with the goals of the plan?			
✓	<b>✓</b>	Have there been any major changes, such as utility lines, major improvements, large development approvals, etc?			
<b>✓</b>	1	Have there been instances when the planning commission or elected body has departed from the plan?			
<b>✓</b>	<b>✓</b>	Are the goals and priorities of the plan in sync with the goals and priorities of appointed and elected officials?			
<b>✓</b>	<b>✓</b>	Does the plan address the location and types of land uses frequently requested?			
<b>✓</b>	<b>✓</b>	Have there been other studies completed that change the relevance of the plan?			

<b>~</b>	Have community goals or vision changed since the plan was written?		
<b>✓</b>	Are recent best practices integrated? (i.e. Complete Streets, Placemaking, Sustainability, Missing Middle Housing, Local Food)		
<b>✓</b>	Is the background data relevant and reference the most recent decennial census data and up-to-date local data?		
<b>✓</b>	Is it user-friendly with clear organization and graphics?		
<b>✓</b>	Does it reference goals and objectives for a downtown area?		
✓	Is there an implementation plan including a CIP plan?		
<b>~</b>	Are a zoning plan and zoning objectives included?		
~	Is a redevelopment strategy provided?		
•	Are priority sites for redevelopment and a strategy for implementation included?		
<b>✓</b>	Have there been changes along the community borders?		
<b>✓</b>	Is there upcoming major (re) development (corridor, transportation,		

	university/hospital, utility, vacated sites, or industrial)?		
<b>✓</b>	Do policy and recommendations support a safe, efficient multi-modal transportation system?		
<b>✓</b>	Do permitted uses support the job market and reflect the local talent pool?		



02/01/2023 PC Agenda Item 10.d.i. - Joint PC Board meeting discussion

# To discuss as a whole:

- 1. What expectations do we, the PC, have for ourselves when it relates to working to, with, and for the Board?
- 2. What expectations do we, the PC, have for the Board when working to, with, and for us?

# Address workflow and communications issues within the Planning Commission processes:

# **Scope: Phase 1**

It was decided in our January 2023 PC meeting to place a high priority on solving multiple problems that prevent the PC from addressing its workload within an adequate time. Rebant and Steelman to identify which areas of concern to address.

# List of workflow or processes requiring attention:

- Communications between Township Board and PC regarding tasks and projects needs to be improved. We require more clarity in the tasks we are assigned and require a process that provides formal feedback and status between the two groups.
- 2. PC requires a process and toolset to help us manage the multiple projects and work requests that are assigned within our group. Key data to be tracked include Project Name, Date Accepted, Priority, Completion Date, Assigned To, Update Fields
- 3. Ensure that members of the PC have read their packets and are prepared to participate in discussions as required.
- 4. External education for PC members is encouraged and monitored as needed.
- 5. Access to external experts when it is determined that we do not have in-house expertise to resolve projects or tasks.

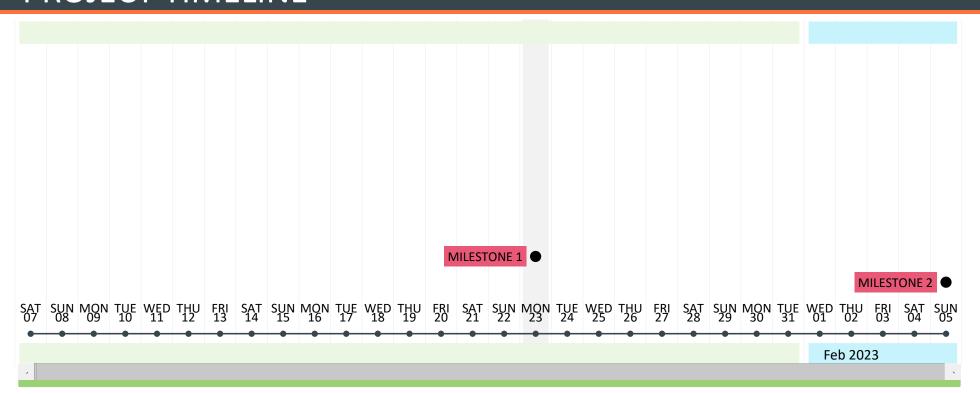
## Actions Completed:

Rebant and Steelman scheduled a consultation with a local facilitator from Traverse City based Parallel Solutions discuss how facilitation may help address our concerns as listed above. Meeting was help via Zoom on 1/17/23 with Rebant/Steelman/Parallel Solutions (Megan Motil)

We learned that numerous local government organizations have similar communication problems across multiple departments. Parallel Solutions has facilitated meetings with several local governmental clients, to include Planning Commissions and Board related workflows.

We asked Megan Motil to provide some basic documentation on what services and processes and base pricing she might recommend to us on a phased implementation basis.

# PROJECT TIMELINE



**ENTER START DATE:** 

1/7/2023

ACTIVITY	START	END	NOTES
Project Start	1/10/2023	12/30/2023	WWT Master Plan Update
Milestone 1	1/20/2023	1/23/2023	Rachele and Rod to post open positions of Volunteer Committee membership (3)
Milestone 2	1/21/2023	2/5/2023	Submit Candidates List to PC for review
Milestone 3	2/15/2023		Hold First Citizen Volunteer Steering Committee Meeting

ACTIVITY	START	END	NOTES
Milestone 4	2/25/2023	2/27/2023	
Milestone 5	3/7/2023	3/9/2023	
Milestone 6	3/17/2023	3/19/2023	
Milestone 7	3/27/2023		
Milestone 8	4/6/2023	4/8/2023	
Milestone 9	4/16/2023	4/18/2023	
Milestone 10	4/26/2023	4/28/2023	
Project End	5/6/2023		

# **MEMO**

To: Whitewater Township Planning Commission

From: Randy Mielnik, AICP

Date: December 21, 2022

Re: Commercial Campground Regulations

Our December Planning Commission meeting included discussion about updated commercial campground regulations. We made it through about half of the material previously provided. During the discussion, an important issue surfaced regarding the minimum sizes for RV and tent camping sites. Draft material in your packet (from October) relied on draft guidelines produced by the National Park Service, and resulted in proposed minimum campground sites that were 4,500 sq. ft. for RV sites and 3,000 sq. ft for tent sites. Meeting discussion revealed concerns that these minimum sizes were too large. Based on our discussion at the meeting, and a review of material provided by Mr. Wroubel and Mr. Keaton, the attached graphics have been produced to help visualize campsite sizes. This suggests that the minimum sizes could be reduced as follows:

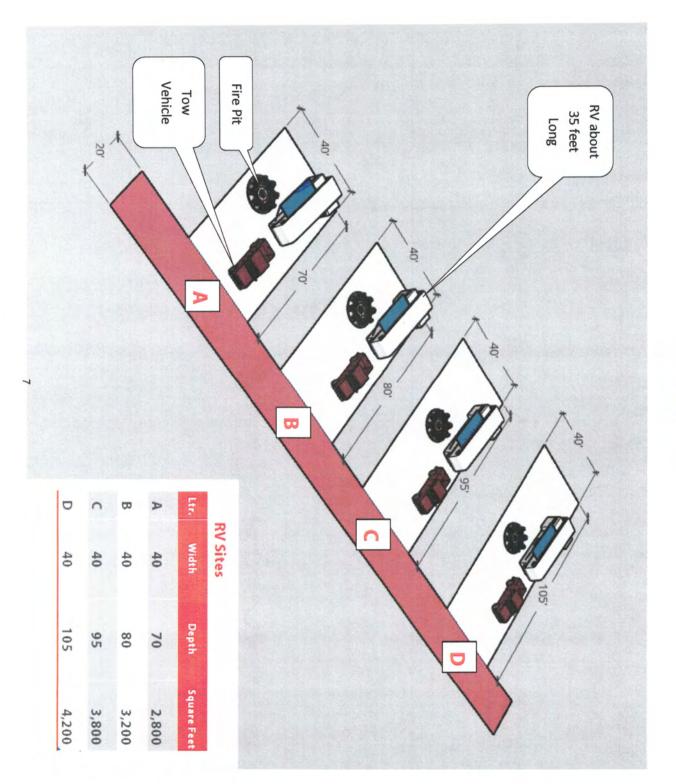
Туре	Minimum Area (Sq. Ft.)	Maximum Permitted
Recreational Unit Sites	<del>4,500-</del> 2,500	NA
Tent Campsites	<del>3,000</del> -1,750	10% of total number of campsites
Cabins	NA	No more than one cabin for each 4 acres of total campground area.
Group Campsites	1,000 per person given the design capacity of the group site.	NA

It was also suggested that we consider a cap on the number of tent (primitive) campsites.

Attachments - Camp site graphics (new), material from 10/25/2022.

**Tent Sites** 

# Tent Area Fire Pit 93' 0 15 W 75 Ltr. Width Tent Sites 25 31 27 93 82 75 20' Square Feet 25 2,883 2,187 1,875



# DRAFT MATERIAL PROVIDED BEFORE

ARTICLE XXV 25.22 (D)
Campground Special Use

Draft Language from Oct. Mtg.	Proposed Zoning Language	Comments / Questions
D. Commercial Campgrounds: The following standards are	D. Commercial Campgrounds:	Rely on a single definition of a commercial
development of commercial campgrounds include youth camps, religious retreats and hunting camps, recreational vehicle parks or travel trailer parks within.	The following standards provide additional requirements for commercial campgrounds when allowed by Special Use Permit in a zoning district.	
1. Location Requirements: Commercial Campgrounds are permitted by Special Use Recreational District (RC) and the Agricultural District (R).	Eliminate this provision	• No need to list where Commercial Campgrounds are allowed by Special Use Permit here. Descriptions of each Zoning District (Articles 5-11 provide this information). When information is redundant in a zoning ordinance, there is greater likelihood of code conflicts as a result of future amendments.
2. Site Requirements:	2. Site Size and Access:	
a. Commercial campgrounds shall only be allowed on parcels of 40 acres or greater.	Minimum Size: 40 acres  Road Access: All commercial campgrounds shall have	<ul> <li>Do we want to say that road access must be to a road maintained by the Road Commission or MDOT?</li> </ul>
<ul> <li>b. The campground shall have access to an all-season road, either public or private. Traffic impact studies may be required depending available road classification, and the size and location of the proposed campground.</li> </ul>	access to a public or private all-season road.  Traffic Impact: If the size of a proposed commercial campground is such that the peak hour traffic generation exceeds 100 vehicle trip ends in any peak	<ul> <li>State regulations already require 20-foot- wide travel widths in roads. (325.1558)</li> <li>Having structures, campsites, or</li> </ul>
c. Internal road systems shall be a minimum of 20' travel width. d. All structures, campsites, or campground amenities shall be located two hundred (200) feet back from adjoining property line and one hundred (100) feet back from road frontage.	hour according to the current version of the Institute of Transportation Engineers' Trip Generation Manual, an independent traffic impact study is required. Such a study shall be prepared by a qualified engineering consultant and paid for by the applicant. The study	campground amenities setback 200 feet from side and rearproperty lines seems excessive and inconsistent with the 100-foot buffer described in #3. What exists between the buffer and setbacks?
	shall explore the need for traffic control measures such as turn lanes and deceleration lanes.	<ul> <li>Reference to Chapter 33 should be made after that Chapter is updated.</li> </ul>

# 3. Buffering Requirements

- surrounding environments to the greatest possible extent. Visual a. All campgrounds shall be designed to blend in with the buffers or screening shall be required when a natural barrier is not
- of the campground shall be maintained as a greenbelt around b. The first one hundred (100) feet of the front, side and rear yard structures, or other campground amenities management residence, but shall not contain parking, campsites property. This area may house utilities, walking paths, and
- adjacent land uses. This screen may include the use of fencing, c. Appropriate screening shall be provided to limit noise reaching berms, landscape, or other natural geographical features.
- d. Outdoor storage, dumpsters, bulk trash receptacles, and properties and public view. maintenance equipment shall be screened from all neighboring

# **Proposed Zoning Language**

3. Setbacks, Buffering and Screening

parking lots, or similar improvements are permitted in structures, playgrounds, sanitation facilities/equipment setbacks are applicable to commercial campgrounds. applicable in a given zoning district, the following Building Setbacks: Regardless of the setbacks normally the required setbacks listed below. No campsite, cabins, campground facilities, recreational

Rear	Side	Front	Yard
100	100	100	Feet

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mounding and similar landscape treatments. potential off-site impacts. Additional required additional landscaping may be required to mitigate non-motorized trails. When a Commercial underground utilities, access driveways, signage and maintained in natural state and may include landscaping may include trees, shrubs, earthen Campground abuts a residential zoning district Buffering: The setback area required shall be

completely obscures view of containers and equipment screened with plant material and/or fencing that receptacles, and maintenance equipment shall be Screening: All outdoor storage, dumpsters, bulk trash

# Comments / Questions

- Item a. is too vague to be useful.
- Clarify the applicable setbacks
- It is not clear why a management required setback, so it was removed. residence would be allowed in the
- Improve screening language to be more be made after that Chapter is updated. specific. Reference to Chapter 33 should

# **Proposed Zoning Language**

# Comments / Questions

# 3. Site Density:

The following chart shall be used to calculate overall site density for the design of all commercial campgrounds. Calculations shall be based on total acreage minus any lakes or wetlands.

100 tent sites		1 per 2 acres	3? per acre	Tent Sites
80 RV sites	100 units	1 per 2 acres	27 per acre	RV campsites
10 cabins		1 per 5 acres	17 per acre	Cabins
type	Facility	RC District	AG District	
Units per	Units per	acre in the	acre in the	
Maximum	Maximum	Density per	Density per	

 a. Youth camps, religious retreats, and hunting camps or similar facilities may exceed the 10-cabin maximum limit provided no tent or RV sites are included in facility.

# 3. Site Density:

The location and number of campsites shall be shown on the site plan. Each campsite shall be associated with a defined area in accordance with the following requirements.

Group 1 Campsites perso th cal	Cabins	Tent Campsites	Recreational Unit Sites	Type Area
1,000 per person given the design capacity of the group site.	Z	3,000	4,500	Area (Sq. Ft.)
Z	No more than one cabin for each 4 acres of total campground area.	NA	NA	Maximum Permitted

# Calculations that determine the overall site density should <u>not</u> be based on total acreage minus any lakes or wetlands. We should ask for a site plan that illustrates campsites that are the required sizes.

- Per the National Park Service, RV campsites require roughly 4,500 square feet of space, including parking (page 70).
- campsites require roughly 3,000 square feet of space (page 70).

  Need to add group camp sites. Per the

.

.

Per the National Park Service, tent

60

National Park Service, group sites require roughly 1,000 square feet per person (page 71).

While the basis for limiting cabins seems clear (you would not want a campground that is all cabins), the rationale for specifying a maximum number of RV campsites vs. tent sites is

# Draft Language from Oct. Mtg. Proposed Zoning Language Comments / Questions

# 4. General Standards:

 a. All requirements of Public Act 368 of 1978 regulating Campgrounds shall be met.

b. The campground shall provide evidence of full compliance with the State Public Health Code, P.A. 368 of 1978, as amended and any other applicable federal, state, county and local permits, codes and regulations.

c. Permanent cabins, accessory/service buildings such as storage facilities, laundry, restrooms, kitchens, pavilions, etc. shall be allowed but shall require a building permit, and approval from Grand Traverse County Construction Code, regardless of size.

d. Recreational elements such as pools, pavilions, basketball or tennis courts shall not have a negative impact on the surrounding areas with regard to noise, light, odors, etc.

e. Onsite storage of campers when not in use shall be permitted but shall not exceed the total number of improved RV campsites.

f. A common use area shall be provided in the parcel of five hundred (500) square feet per campsite.

# 4. General Standards:

 All requirements of Public Health Code, Act 368 of 1978, Part 125, as amended shall be met.

b. The campground shall provide evidence of full compliance with the State Public Health Code, P.A. 368 of 1978, as amended and any other applicable federal, state, county and local permits, codes and regulations.

c. Cabins, accessory/service buildings such as storage facilities, laundry, restrooms, kitchens, pavilions, etc. shall be allowed but shall require a building permit, and approval from Grand Traverse County Construction Code, regardless of size.

d. Recreational elements such as pools, pavilions, basketball, tennis courts, or similar areas that generate noise and high activity levels shall be located in interior portions of the campground to the greatest extent practical to reduce negative impacts on the surrounding areas with regard to noise, light, odors, etc

e. Onsite storage of campers when not in use shall be permitted, but shall not exceed the total number of i recreational unit campsites. This includes winter storage in a designated area.

f. A common use area shall be provided in the parcel of five hundred (500) square feet per campsite.

# Improve Michigan Public Health Code citation.

- B. is redundant with a., so it was eliminated. Section 333.12510 of the Public Health Code allows for local health department inspections.
- Eliminate "regardless of size" in c. The Construction Code stipulates what size buildings require a permit (not Whitewater Township).
- Reword d. to provide direction as to how to reduce impacts off-site.

- Address winter storage in e.
- F. is not needed or practical.

be used and occupied by the campground owner or designated the property with the exception of one residential home/office to employee. Campsites or structures may be rented by the day, 5. Duration of Residency: Permanent residency is prohibited on week, not to exceed 30 days at one site.

provided for vehicles waiting to enter or exit the facility. and passenger loading areas per the requirements of Article 34, 6. Parking and Access: Facility shall provide adequate parking Off-Street Parking and Loading. Adequate stacking area shall be

rings and fires shall be monitored at all times to maintain a safe 7. Campfires: All campfires shall be confined to designated fire environment.

of low impact walkway lighting is encouraged zoned property shall deflect lighting away from these areas. Use In addition, facilities using night lighting adjoining a residentially that it does not impede the vision of traffic along adjacent streets 8. Lighting: Exterior lighting shall be installed in such a manner

# **Proposed Zoning Language**

# 5. Duration of Residency:

and occupied by the campground owner or designated employee. Campsites or cabins may be rented by the the exception of one residential home/office to be used day or week, but not to exceed 30 days at one site. Permanent residency is prohibited on the property with

# Parking and Access:

Street Parking and Loading. Adequate stacking area shall be provided so that no vehicles waiting to enter loading areas per the requirements of Article 34, Offthe campground are staged in a public or private road Facility shall provide adequate parking and passenger

# 7. Campfires:

and fires shall be monitored at all times to maintain a All campfires shall be confined to designated fire rings safe environment.

# 8. Lighting:

free-standing light fixtures and exterior building wall does not occur above a 90-degree angle. This includes designed such that illumination from the light source Exterior lighting shall utilize full cut-off type light fixtures that direct light downward. Fixtures shall be

# Comments / Questions

- such that no vehicles waiting to enter Clarify that stacking areas are designed campground / cabin stays. Need to discuss the 30-day limit on
- #7 is too vague to be useful

the campground are staged in a public

or private road.

Add specifics to the limitations on exterior lighting.

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# 9. Trash and sanitation:

- Health Department or have convenient access to approved and sanitary service approved by the Grand Traverse County a. Each cabin, pad, or primitive campsite shall be provided water sanitary service building(s).
- b. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling
- throughout the site. Sites shall be periodically cleared of debris so Adequate trash receptacles shall be provided, as needed that litter does not accumulate or drift onto adjacent properties

# 10. Accessory Commercial Activities:

- firewood, or other items related or incidental to camping. a. One camp store shall be permitted provided that it is designed to provide for camping provisions such as ice, pop, snacks,
- installation and operation of the principal use. b. In no case shall a recreational accessory use predate the
- c. When the principal use ceases operation, the accessory use shall immediately cease
- necessary to serve only the seasonal patrons of the facility. d. Accessory commercial activities shall be limited to those

# **Proposed Zoning Language**

# 9. Trash and sanitation:

- stations approved by the Grand Traverse County Health Each cabin, campsite or group campsite shall have Department and in accordance with Public Act 368 of convenient access to sanitary facilities and sanitary water and wastewater service at the site, or have
- receptacle shall be located within two hundred (200) No sanitary facility, sanitary station or trash feet of an existing dwelling located on any adjacent

Refuse disposal requirements is

and Public Act 368 of 1978 in a. and b. Traverse County Health Department facilities and sanitary stations, Grand

addressed in Public Act 368 of 1978

(325.1581).

drift-onto-adjacent properties needed throughout the site. Sites shall be periodically cleared of debris so that litter does not accumulate or Adequate trash receptacles shall be provided, as

# 10. Accessory Commercial Activities:

use to provide for camping provisions such as ice, pop operations when the campground is closed seasonally normal campground operations and shall cease Such a camp store may not operate independently from camping, or support services such as laundry rooms. snacks, firewood, other items related or incidental to a. One camp store shall be permitted as an accessory

# Comments / Questions

Clarify language about sanitary

# Eliminate c.

Clarify language with respect to a campground store.

# 11. A Management Plan:

include plans for implementation of the following: detailed management plan for the campground. This plan shall As part of the application process the applicant shall present a

a. All campgrounds shall provide for contact with management to campground is in operation Onsite supervision is preferred but staff shall be available within a facility residents, visitors, township, or law enforcement officials. 10-minute response time at all times, 24-hour a day, whenever

b. The total number of campsite, cabins, and accessory buildings proposed as well as any green belt, walking trails, or recreational components.

with noise, rowdy behavior, and similar nuisance activities. This education of policies, and plan for enforcement when voluntary plan shall include methods for policy implementation, a plan for c. The campground policies and enforcement procedures to dea compliance is not provided

shall be approved by the Planning Commission based on the and the seasons the campground will operate. Operating hours d. The posted office hours and quiet hours for the campground nature of the use and the nuisance potential to adjoining property

e. A campground policy for the use of ATV, golf carts, snowmobiles or other recreational vehicles which might accompany campers.

elements will be available to the general public in some form or f. Disclosure of all recreational elements and whether these reserved exclusively for resident and guests.

g. Procedures for trash pick-up and disposal

h. Standards for fire safety, fire safety equipment, and resident evacuation routes.

# **Proposed Zoning Language**

# 11. A Management Plan:

present a management plan that describes policies and shall include the following elements: rules for the campground. At a minimum, this plan As part of the application process the applicant shall

Owner/operator/manager contact information.

Office hours

Campground policies and procedures with disturbances, and other nuisances respect to dealing with noise complaints

d Applicable quiet hours

D

Polices with respect to use of off-road vehicles in the campground.

emergency vehicle access and evacuation Description of policies and procedures related routes. to fire safety, fire safety equipment,

# Comments / Questions

Consider requiring only information address operational complaints and that would aid Whitewater Township

i. Gravel and dirt roads shall have a road maintenance plan in place to address dust control and condition.  j. Excessive dust, noise, traffic, and trespassing shall not be inflicted on adjacent properties. Appropriate fencing, design, and signage shall be provided to address any issues that arise.	Draft Language from Oct. Mtg.
	Proposed Zoning Language
	Comments / Questions

# Proposed Amendment (Draft)

**D. Campgrounds:** The following standards provide additional requirements for <u>commercial</u> <u>campgrounds</u> when allowed by Special Use Permit in a zoning district.

### 1. Site Size and Access

- a) Minimum Size: 40 acres
- b) Road Access: All commercial campgrounds shall have access to a public or private all-season road.
- c) Traffic Impact: If the size of a proposed commercial campground is such that the peak hour traffic generation exceeds 100 vehicle trip ends in any peak hour according to the current version of the Institute of Transportation Engineers' Trip Generation Manual, an independent traffic impact study is required. Such a study shall be prepared by a qualified engineering consultant and paid for by the applicant. The study shall explore the need for traffic control measures such as turn lanes and deceleration lanes.

### 2. Setbacks, Buffering and Screening

a) Building Setbacks: Regardless of the setbacks normally applicable in a given zoning district, the following setbacks are applicable to commercial campgrounds. No campsite, cabins, campground facilities, recreational structures, playgrounds, sanitation facilities/equipment, parking lots, or similar improvements are permitted in the required setbacks listed below.

-
y

- b) Buffering: The setback area required shall be maintained in natural state and may include underground utilities, access driveways, signage and non-motorized trails. When a commercial campground abuts a residential zoning district, additional landscaping may be required to mitigate potential off-site impacts. Additional required landscaping may include trees, shrubs, earthen mounding and similar landscape treatments.
- c) Screening: All outdoor storage, dumpsters, bulk trash receptacles, and maintenance equipment shall be screened with plant material and/or fencing that completely obscures view of containers and equipment on three sides.

### 3. Site Density

a) The location and number of campsites shall be shown on the site plan. Each campsite shall be associated with a defined area in accordance with the following requirements.

Туре	Area (Sq. Ft.) Max. Permitte	
Recreational Unit campsites	4,500	NA
Tent campsites	3,000	NA
Cabins	NA	No more than one cabin for each 4 acres of total campground area.
Group campsites	1,000 per person given the design capacity of the group campsite.	NA

## 4. General Standards

- a) All requirements of Public Health Code, Act 368 of 1978, Part 125, as amended shall be met.
- b) Cabins, accessory/service buildings such as storage facilities, laundry, restrooms, kitchens, pavilions, etc. shall be allowed but shall require a building permit, and approval from Grand Traverse County Construction Code.
- c) Recreational elements such as pools, pavilions, basketball, tennis courts, or similar areas that generate noise and high activity levels shall be located in interior portions of the campground to the greatest extent practical to reduce negative impacts on the surrounding areas with regard to noise, light, odors, etc.
- d) Onsite storage of campers when not in use shall be permitted, but shall not exceed the total number of recreational unit campsites. This includes winter storage in a designated area.

### 5. Duration of Residency

a) Permanent residency is prohibited on the property with the exception of one residential home/office to be used and occupied by the campground owner or designated employee. Campsites or cabins may be rented by the day or week, but not to exceed 30 days at one site.

### 6. Parking and Access

a) Facility shall provide adequate parking and passenger loading areas per the requirements of Article 34, Off-Street Parking and Loading. Adequate stacking area shall be provided so that no vehicles waiting to enter the campground are staged in a public or private road.

### 7. Lighting

a) Exterior lighting shall utilize full cut-off type light fixtures that direct light downward. Fixtures shall be designed such that illumination from the light source does not occur above a 90-degree angle. This includes free-standing light fixtures and exterior building wall packs.

### 9. Trash and sanitation

- a) Each cabin, campsite or group campsite shall have water and wastewater service at the site, or have convenient access to sanitary facilities and sanitary stations approved by the Grand Traverse County Health Department and in accordance with Public Act 368 of 1978.
- b) No sanitary facility, sanitary station or trash receptacle shall be located within two hundred (200) feet of an existing dwelling located on any adjacent parcel.

### 10. Accessory Commercial Activities:

a) One camp store shall be permitted as an accessory use to provide for camping provisions such as ice, pop, snacks, firewood, other items related or incidental to camping, or support services such as laundry rooms. Such a camp store may not operate independently from normal campground operations and shall cease operations when the campground is closed seasonally or permanently.

### 11. A Management Plan:

As part of the application process the applicant shall present a management plan that describes policies and rules for the campground. At a minimum, this plan shall include the following elements:

- a) Owner/operator/manager contact information.
- b) Office hours
- c) Campground policies and procedures with respect to dealing with noise complaints, disturbances, and other nuisances.
- d) Applicable quiet hours
- e) Polices with respect to use of off-road vehicles in the campground.
- f) Description of policies and procedures related to fire safety, fire safety equipment, emergency vehicle access and evacuation routes.

### **Existing Relevant Definitions in Article III**

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 not for remuneration.

**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 chassismounted dwellings.

### New/Updated Definitions in Article III

**CABIN:** A seasonal dwelling designed for temporary use, that does not exceed 700 square feet in total area, available for rent on a limited basis.

**CAMPSITE:** An area of land in a campground for the placement of tents, and recreational units. Campsites often have site improvements such as gravel or hard surface pads, fire rings and may have hookups to water, sewer, electric and cable.

**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 not for remuneration.

**COMMERCIAL CAMPGROUND:** A parcel or tract of land under the control of a person in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for five or more recreational units. Campground does not include a seasonal mobile home park licensed under the mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349. 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. A commercial campground is not a private family campground as defined herein.

**GROUP CAMPSITE:** A parcel of land designed and reserved for the location of recreational unit sites and/or tent sites to accommodate a specific number of people

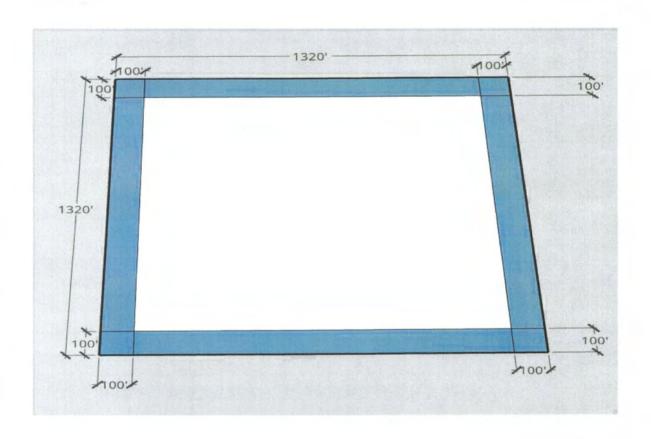
**RECREATIONAL UNIT:** A vehicular-type structure, primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreational units include travel trailers, a camping trailer, a motor home, a truck camper, a slide-in camper, a chassis-mount camper. A recreational unit does not include a mobile home used as a permanent dwelling, residence, or living quarters.

**RECREATIONAL UNIT CAMPSITE:** An area of land in a campground for the placement of a single recreational unit and the exclusive use of its occupants. Recreational unit sites may be supported by individual water, sewer and electric services, or may rely on centralized restrooms, showers and similar services.

**TENT:** A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors.

**TENT CAMPSITE:** An area designated for recreational campers using a tent as housing. Tent campsites are supported by access to central restrooms, showers and similar services.

# COMMERICAL CAMPGROUND ILLUSTRATION



- 1320 x 1320= 1,742,400 Sq. Ft. (40 acres)
- Required 100' buffer around the site can only be used for underground utilities, access driveways, signage and non-motorized trails.
- 100' buffer around the property reduces a 40-acre site to slightly more than 34 acres of developable property.

Non-Profit

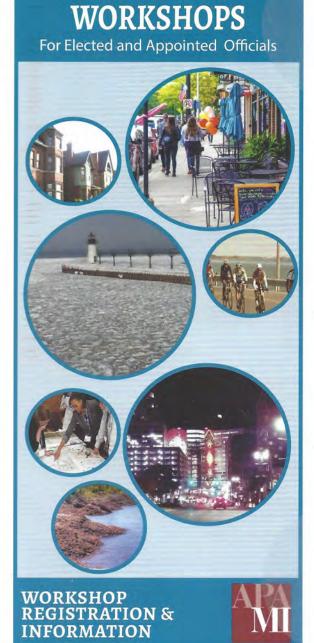
Detroit, MI

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Michigan Association of Planning

A Chapter of the American Planning Association

**PLANNING & ZONING** 

**TRAINING** 



# **ON-SITE WORKSHOPS**

# Can't make the scheduled workshops? Interested in another topic?

MAP's on-site workshops are a flexible and affordable way to bring training to your community. You pick the topic, date, location, and attendees - MAP finds an AICP- certified instructor and provides the materials. Collaborating with neighboring communities provides added value to the workshop, and also helps cover costs.

MAP's menu of workshops covers everything from broad topics like Planning and Zoning Essentials to niche subjects like accessory dwelling units or capital improvement programming. Check out all of the offerings at www.planningmi.org/on-site-workshops

For more information, or to schedule an onsite workshop, please contact Amy Vansen at (734)913-2000 or avansen@planningmi.org.

# **ABOUT MAP**

The Michigan Association of Planning (MAP) is a 501(c)3 non-profit organization dedicated to promoting quality community planning through statewide education, information and advocacy.

Membership benefits are valuable:

- Subscription to Michigan Planner magazine.
- · Discounts on MAP events & publications.
- · Part of nation-wide network of planners.
- Access to tools and resources to help you make better decisions.
- · And more!

For more information, contact Rachel Goldstein at (734) 913-2000 or rgoldstein@planningmi.org.

COVID-19 Policy: Check MAP's website for the most up-to-date information. www.planningmi.org

# CALENDAR OF EVENTS

February 11, 2023

Student Conference 9:00 AM - 4:30 PM | EMU

February 22, 2023

**Transportation Bonanza** 9:00 AM - 4:30 PM | Virtual

March 1, 2023

Site Plan Review 11:00 AM - 3:30 PM Mt. Pleasant

March 1, 2023

Master Planning Process 4:00 PM - 8:30 PM | Mt. Pleasant

March 2, 2023

Planning for Broadband 1:00 PM - 3:00 PM | Virtual

March 14, 2023

Advanced ZBA: Beyond the Fundamentals 6:00 PM - 8:30 PM | Virtual

March 16, 2023

Planning & Zoning Essentials 11:30 AM - 4:30 PM | Frankenmuth

March 16, 2023

Making Good Decisions Together 5:00 PM - 8:00 PM | Frankenmuth

March 21, 2023

Zoning Administration 2.0 1:00 PM - 3:30 PM | Virtual

March 21 and 22, 2023

Planning & Zoning Essentials 6:00 PM - 8 PM | Virtual

May 17, 2023

Spring Institute | East Lansing

October 4-6, 2023

**Planning Michigan Annual Conference** Grand Traverse Resort

### MAIL OR EMAIL FORMS TO:

1919 West Stadium Blvd., Suite 4, Ann Arbor, MI 48103 | info@planningmi.org
P: (734) 913-2000 | www.planningmi.org

## REGISTRATION POLICY

For cancellations received in writing 7 business days prior to the workshop, a refund (minus a \$25 fee) will be given if materials have not been mailed. Cancellations received less than 7 days prior will not be refunded.

**Students:** This discount is intended to make the workshops affordable for all full-time student members.

ever-changing land use landscape. In person workshops include a meal and refreshments. All sessions except Planning for Broadband include a guidebook experienced ones with innovative planning tools and techniques. We make it easy for you to receive the education and training necessary to keep up with the knowledgeable and experienced instructors enable new elected and appointed officials to better understand their roles and responsibilities, and reacquaint The Michigan Association of Planning's education programs provide participants with the skills and knowledge to make better land use decisions. Our

Planning and Zoning Essentials The most requested training product we offer

In Person March 16, 11:30 AM - 4:30 PM, Frankenmuth, Bavarian Inn Lodge, Instructors: Caitlyn Habben, AICP and Jason Ball, AICF

Virtual March 21 and 22, 6 - 8 PM, Instructor: Jill Bahm, AICP

responsibilities, and more! This course is designed to boost confidence by sharpening skills, identifying conflicts of interest, understanding legal foundations, examining roles and

planning, zoning ordinances, variances, how to determine practical difficulty, and standards for decision-making are covered. more experienced officials looking to refresh their skills and build upon existing knowledge. Roles and responsibilities, site plan review, comprehensive This program is ideal for introducing new planning commissioners and zoning board of appeals members to their roles and responsibilities, and also for

# Site Plan Review

3.5 Master Citizen Planner CEUs

# Mt. Pleasant City Hall Instructor: Andy Moore, AICP

compliance, inspections, and landscaping. This and traffic considerations, lighting, utilities, ADA discuss site design principles, such as pedestrian and techniques on how to read a site plan. You'll and approval process and provide practical tools hands-on workshop includes an engineering scale, This program will demonstrate the site plan review turning template, and a site plan to evaluate

# Planning for Broadband

New Offering

2 Master Citizen Planner CEUs

# March 2 1 PM - 3 PM

Virtual Instructor: Eric Frederick, AICF

process from start to finish. vision. This workshop will take you through the needs, and guides the tactical plans to realize this goals, analyzes existing community resources and documents a community's strategic vison and A well designed community broadband roadmap

# New Offering: Making Good Decisions Together

2 Master Citizen Planner CEUs

March 16 5 PM - 8 PM

Instructor: Leah DuMouchel, AICP Frankenmuth, Bavarian Inn Lodge

reviewed along with recent court findings Transparency and accountability mandates will be each other will yield more successful outcomes. respective roles and intentionally interacting with boards and commissions in understanding their This workshop delves into how the various local

# **Master Planning Process**

3.5 Master Citizen Planner CEUs

Instructor: John lacoangeli, FAICP March 1 | 4 PM - 8:30 PM | Mt. Pleasant City Hall

requirements, components, and stakeholder well as those creating entirely new ones, Roll up communities updating existing master plans as This workshop is designed for those drafting or amending a master plan. involvement you'll need to organize when your sleeves and learn step-by-step about the

# Advanced ZBA: Beyond The Fundamentals New Offering

2.5 Master Citizen Planner CEUs & 2.5 AICP CM Instructor: Vidya Krishnan March 14 6 PM - 8:30 PM Virtual

case studies and discuss their findings. Basic ZBA recent court cases and statutes are reviewed and You requested and we listened! A high level, knowledge is necessary to best participate. where participants will dig into four different interactive session for ZBA members, where

# Zoning Administration 2.0 New Offering!

2.5 Master Citizen Planner Credits & 2.5 AICP CM

Instructor: Megan Masson-Minock, AICP March 21 | 1 PM - 3:30 PM | Virtual

court cases, and trends in zoning. Participants should be other than zoning that affect land use, enforcement, session. The following topics will be reviewed: roles, laws course. Our 2.0 workshop is a fast paced, interactive In 2018, MAP debuted an intro Zoning Administration experienced zoning administrators.

REGISTRATION FORM
Complete one form per registrant.
CONTACT INFORMATION:

NAME				
AFFILIATIO	N			
EMAIL (con	firmations a	nd directions will be sent via email)		
PHONE (wi	th area code	)		
BILLING AD	DRESS (inclu	ude apt. or suite #)		
CITY	STATE ZIP			
Please list a	ny special n	eeds (dietary, barrier free access, etc.)		
☐ l'm a M ☐ Join M.				
MEMBER RATES	NON- MEMBER RATES	*\$25 late fee if you register LESS THAN 5 business days before workshop*		
□\$125	□\$155	Site Plan Review Mar. 1   Mt. Pleasant		
□\$120	□\$150	Master Planning Process Mar. 1   Mt. Pleasant		
□\$75	□\$105	Planning for Broadband Mar. 2   Virtual		
□\$85	<b>□</b> \$115	Advanced ZBA Mar. 14   Virtual		
□\$125 □\$85	□\$155 □\$115	Planning & Zoning Essentials Mar. 16   Frankenmuth Mar. 21 & 22   Virtual		
□\$120	□\$150	Making Good Decisions Together Mar. 16   Frankenmuth		
□\$85	□\$115	Zoning Administration 2.0 Mar. 21   Virtual		
\$25 in person \$10 virtual		Student (full time) Member Rate Workshop & Date:		
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CARD#				
EXPIRATIO	N DATE	SECURITY CODE		