

WHITEWATER TOWNSHIP PLANNING COMMISSION AGENDA FOR REGULAR MEETING,

April 5, 2023, 7:00 p.m.,

Whitewater Township Hall Via ZOOM and in person

5777 Vinton Road, Williamsburg, MI 49690

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

Join Zoom Meeting

<https://us06web.zoom.us/j/87078645660?pwd=ZUt3U1lMd3VSZCttS1U5OTB4TDhFdz09>

Meeting ID: 870 7864 5660 Passcode: 623582

One tap mobile +13092053325,,87078645660#,,,,*623582# US

Dial by your location +1 309 205 3325 US

1. Mic Check, Call to Order/Pledge Allegiance
2. Roll Call of PC Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest pertinent to agenda items
5. Public Comment – Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the PC, with questions directed to the Chair.
 - b. Any person wishing to address the PC shall speak from the lectern (or use raise hand feature if Zoom is being utilized) and state his/her name and address.
 - c. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC members' questions.
 - e. Public comment shall be limited to 3 minutes per person.
6. Public Hearing: None
7. Approval of Minutes of March 1, 2023, March 10, 2023 and March 17, 2023
8. Correspondence - None
9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator - Hall
 - b. Chair - Steelman
 - c. Township Board Representative – Vollmuth
 - d. ZBA Representative - Wroubel
 - e. Committee Reports – Mielnik
 - f. Additional Items
10. Unfinished Business
 - a. Project Flow Chart (Rebant)
 - b. Standard Operating Procedures (SOP) (DeYoung)
 - c. Private Roads Discussion
 - d. New Adopted Bylaws - included in Packet
11. New Business
 - a. Classic Equine – Special Use Permit Extension
 - b. ZO Amendment Process (Rebant)
12. Next Meeting Agenda May 3, 2023 at 7pm (Review action items, due dates, meeting date/time)
13. Public Comment

14. PC Discussion/Comments
15. Continuing Education (5-15 minutes at each meeting)
 - a. Citizen Planner updates
 - b. Planetizen Courses <https://courses.planetizen.com/courses>
16. Adjournment

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

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
March 1, 2023

Call to Order at 7:00 p.m.

Roll Call: Jacobson, Keaton, Steelman, Wroubel, Vollmuth

Absent: DeYoung, Rebant,

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda: Address New Business #1, Annual Report after Unfinished Business #4, Project Flow Chart

Declaration of Conflict of Interest: None

Public Comment:

Public comment began at 7:04 p.m.

Heidi Vollmuth

Denise Peltonen

Public comment ended at 7:10 p.m.

Public Hearing: None

Approval of Minutes:

MOTION by Vollmuth, second by Jacobson to approve the minutes of February 1, 2023, as amended.

Roll call: Wroubel-yes; Jacobson-yes; Vollmuth-yes; Keaton-yes; Rebant-n/a; DeYoung-n/a; Steelman-yes.

Motion carried.

Correspondence: Acme Township Master Plan Notification

Reports:

Zoning Administrator Report, Hall: Not available.

Chair's Report, Steelman: Status of general ordinance and municode, binder updates for zoning ordinance and a general ordinances. Two township zoning books have been ordered for those that need them.

Township Board Rep, Vollmuth: Binders are still being put together. Vollmuth asks who wants the Authorities book (the red book). We need the tools. Vollmuth spoke with the ZA. Suggests everyone read the article that was handed out regarding non-conformities.

ZBA Representative, Wroubel: No meeting in February

Committee Reports: None

Planner, Mielnik: Part of the packet for discussion.

Unfinished Business:

1. Amendment #86, Article 28, Condominium Development Regulations and Article 3 Definitions discussion:
It has been before the PC, the Planner, the attorney and it has been through Public Hearing. Clarifications, not major zoning changes.
Consensus to forward to the board as amended.
Findings of fact: (1) to clarify text with varied interpretations; (2) to adjust organizational structure to improve navigation within the article; (3) to provide definitions that were not previously defined; (4) to improve clarity which were not as concise as the PC wanted; (5) to increase transparency, clarity and to conform with exparte' rules we added the planner and reduced the number of planning commissioners to one or two in a preliminary site plan review.
MOTION by Jacobson second by Keaton to forward Amendment #86 as amended to the Board with a recommendation to adopt based on the stated findings of fact: (1) to clarify text with varied interpretations; (2) to adjust organizational structure to improve navigation within the article; (3) to provide definitions that were not previously defined; (4) to improve clarity which were not as concise as the PC wanted; (5) to increase transparency, clarity and to conform with exparte' rules we added the planner and reduced the number of planning commissioners to one or two in a preliminary site plan review.

Roll call: Steelman-yes; Jacobson-yes; Vollmuth-Board member not voting; Keaton-yes; Rebant-n/a; Wroubel-yes; DeYoung-n/a.

Correct and scan the printed version and present to the Board for inclusion in the packet for March 14 meeting.

2. Bylaws review and discussion and changes made.

MOTION by Keaton second by Wroubel to adopt the bylaws as amended.

Roll call vote: Vollmuth-yes; Jacobson-yes; Keaton-yes; DeYoung-n/a; Steelman-yes; Rebant-n/a; Wroubel-yes.

Motion carried.

3. Zoning Ordinance update and proposed action, Mielnik and Steelman: Zoning Ordinance update discussion. Consensus on the proposed action plan.

MOTION by Steelman second by Jacobson to present this proposed action plan to the Board.

Roll Call: Jacobson-yes; Keaton-yes; DeYoung-n/a; Wroubel-yes; Steelman-yes; Vollmuth-yes; Rebant-n/a.

Motion carried.

4. Master Plan Power point presentation

- a. Community engagement
- b. Review 2009 survey
- c. Potential value of a new survey and public participation
- d. Develop recommendations

5. Project Flow Chart – Rebant: Postpone

6. Standard Operating Procedures (SOP). Postpone

7. Private Roads, Vollmuth: discussion: How important is the private road ordinance? Not important to the Master Plan. In Whitewater Township the Private Road is a General Ordinance. Is this something the PC needs to address at this time? Are we going to do it as a zoning ordinance? Does the PC have the authority to work on this? The ordinance was repealed, not repealed and replaced, just left with nothing.

Steelman recommends sending private road ordinances as individuals instead of as the PC. It would be for new private road construction only.

Steelman asked if this is this a priority of the Planning Commission right now? It is a General Ordinance.

Everyone come back with a private ordinance that can be discussed next time.

Consensus that this is an agenda item for April.

New Business:

1. Annual Report discussion with a consensus to present the Annual Report to the Board.

Next Regular Meeting April 5, 2023, 7 p.m.

Special Meeting, Master Plan Resident Outreach Subcommittee, March 10 9 – 11 a.m.

Training, March 15 for video training? 6:30 – 9:30

Agenda: Master Plan, Private Roads, Project Flow Chart, Standard Operating Procedures.

Public Comment:

Public comment began at 9:48 p.m.

Lois MacLean

Heidi Vollmuth

Karin Boyd

Public comment ended at 9:54 p.m.

Commission Discussion/Comments: Al proposes at the end of the meeting is a quick synopsis of the meeting and recap for the annual report.

Accomplished tonight:

Amendment 86 to the Board, bylaws, formal request for zo updates, scheduled extra meetings, Master Plan discussion.

Continuing Education:

Zoning Administrator Hall shared “MSU Extension – Administrative decisions require careful application to ordinance standards, Part 1 and 2” in preparation of site plan reviews.

Trustee, Vollmuth shared MSU Extension – Organization and Codification of a Zoning Ordinance.

Adjournment: 9:58 p.m.

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

Respectfully Submitted
Lois MacLean,
Recording Secretary

DRAFT

WHITEWATER TOWNSHIP PLANNING COMMISSION
MASTER PLAN SUBCOMMITTEE
SPECIAL MEETING MINUTES
March 10, 2023

Call to Order at 9:00 a.m.

Roll Call: Peltonen, Steelman, Rebant Mielnik, Beam

Absent: McElwee

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda:

Declaration of Conflict of Interest: None

Public Comment: None

Stelman turned the meeting over to Mielnik

Special Meeting Business:

1. Review 2009 Survey discussion: Mielnik shared the power point that was presented at the PC and a very brief synopsis of the key take aways of the 2009 Community Survey.
2. New survey discussion: We cannot overly rely on a written survey only as there is no “random contact survey” and brings the validity of it into question. Consensus that a new survey is relevant; community engagement is important.
3. New survey draft presented and discussed: need to know what the distribution would be, mail, phone, internet, etc.; public engagement; percentage of respondents - is there a “magic number” – 2009 was about 20% and the survey company indicated it was considered a valid percentage.
Discussion of the provided/suggested questions, explanations, edits and additions.

Some of the questions will lead to more group discussions, possibly community outreach group meetings.

Is there a budget to have an outside firm do the survey? Time is valuable also. Survey Monkey is an inexpensive online option.

Peltonen, Mielnik, Beam and Rebant will investigate options and bring them back to the committee. Mielnik will update the draft survey and get it out to everyone.

4. Potential recommendations to the PC - none
5. Any other related topic the committee wishes to discuss. - none

Next Regular Meeting April 5, 2023, 7 p.m.

Training, March 15, 6:30 – 9:30 p.m.

Next subcommittee meeting, March 17, 9 - 11 a.m.

Public Comment:

Public comment began at 10:46 a.m

Lois MacLean

Tom McElwee

Vern Gutknecht

Connie Hymore

Public comment ended at 10:55 a.m.

Committee discussion: Peltonen, thank you to everyone who is participating.

Adjournment: 10:56 a.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

DRAFT

WHITEWATER TOWNSHIP PLANNING COMMISSION
MASTER PLAN SUBCOMMITTEE
SPECIAL MEETING MINUTES
March 17, 2023

Call to Order at 9:00 a.m.

Roll Call: Steelman, Rebant, Mielnik, Peltonen

Absent: McElwee, Beam

Also in attendance: Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment: None

Special Meeting Business:

1. Review and discuss second draft of the survey:
Read through, discuss and edit the questions.
Demographic census data is important.
Planning to engage via workshops for more in depth information gathering on specific topics.
2. Discussion of survey mechanisms and timeline:
Use the newsletter to advertise that the survey is coming.
Plan for survey to be back mid June.
Networks Northwest can compile the data for approximately \$2000.
Possibly share basic results in the July newsletter with a link to the results.
Do outreach workshops in July and August.
3. Potential recommendations to the PC. None at this time.
4. Any other related topic the committee wishes to discuss. - none

Next Regular Meeting April 5, 2023, 7 p.m.

Next subcommittee meeting, March 24, 9 - 11 a.m.

Public Comment: None

Committee discussion: None

Adjournment: 10:07 a.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION PROGRAM & PROJECT PLAN

#1 UPDATE WHITEWATER TOWNSHIP MASTER PLAN (MP)

ACTION PLANNED	PRIORITY	LEADER/CO-LEADER	START	END
Secure Board Authorization to Resource MP Update	1	Popp	2022	2022
Notify Local Townships that WWT MP Update Underway		Popp	2022	2022
Secure Consultant to Direct PC actions required to produce MP		Popp	2022	2022
Identify beginning Phase of Community Involvement		Mielnik	2022	
Resident Outreach Committee		Mielnik/Steelman /Rebant	01/04/23	03/15/23
Discovery Phase-Past/Present/Trends		Mielnik	2023	
Community Engagement – Survey Results 2009/New Survey/Define Planning Issues/Conduct Planning Workshops/Identify Areas of Consensus		Mielnik	2023	
Visioning		Mielnik	2023	
Draft Plan		Mielnik	2023/2024	
Final Plan		Mielnik	2024	

WHITEWATER TOWNSHIP PLANNING COMMISSION PROGRAM & PROJECT PLAN

#2 ORDINANCE PLANNING & PROJECT REVIEWS

ACTION PLANNED	ORD #	PRIORITY	LEADER/CO-LEADER	START	END
ZO Word Project	N/A	Medium	Popp	2022	ASAP
ZO Amendment to Article 25 Site Plan and SUP	N/A	High	Popp/Township Board	1/1/23	ASAP
Article 28 Update		High	Steelman/PC	2022	
Freeze General Ordinance Updates – Process High Priority Ordinance Development	N/A	High	Steelman/PC		
High Point Golf Course Project Review			Owner/ZA/PC/Board	2022	
Baggs Road Condo Project Review			Owner/ZA/PC/Board	2022	
Restart Ordinance Updates			PC/Board	2023	

WHITEWATER TOWNSHIP PLANNING COMMISSION PROGRAM & PROJECT PLAN

#3 PLANNING COMMISSION TEAM DEVELOPMENT

ACTION PLANNED	PRIORITY	LEADER/CO-LEADER	START	END
Binders to all Members	1	Steelman/Popp	1/04/2023	3/XX/23
New Member Program	1	Individual Responsibility		
Team Focused (Facilitation)	1	Rebant/Steelman	5/01/23	
Building Team Workflow	1	Steelman/Rebant	6/01/23	
Communications	1	Steelman/Rebant	6/01/23	
--Internal				
--Board				
--Other Departments				
--Public				

WHITEWATER TOWNSHIP PLANNING COMMISSION PROGRAM & PROJECT PLAN

#4 TOOLS & MEASURES

ACTION PLANNED	PRIORITY	LEADER/CO-LEADER	START	END
Assessment of Current PC Capabilities	1	Steelman/Rebant	01/04/23	04/01/23
Create and Implement a Master Project Plan	1	Rebant/Steelman	01/04/23	04/01/23
Create a Dashboard for PC	3			
Establish Benchmark Data for Annual Reporting	3			
Semi-Annual Review of Progress	3			
Create Workflows for PC Actions	2			
SOP's	2			
Project Tracking/Data Repository	2			

WHITEWATER TOWNSHIP PLANNING COMMISSION PROGRAM & PROJECT PLAN

#5 ANNUAL REPORTING

ACTION PLANNED	PRIORITY	LEADER/CO-LEADER	START	END
PC Annual Report				
PC Annual Budget Request				
Survey Results				

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

WHITEWATER TOWNSHIP (TWP) PRIVATE ROAD AND DRIVEWAY ORINADANCE MINIMUM DESIGN STANDARDS

Edited VERSION5 AL KEATON 3/2/23c2

SECTION 1 DRIVEWAY AND PRIVATE ROAD LOCATIONS AND GRADE

- (A) Driveways and Private Roads shall be so located to preclude undue interference with the free movement of road traffic, and to provide the required Sight Distance.
- (B) Driveways and Private Roads, including the radii but not including right turn lanes, passing lanes, and tapers shall be located entirely within the Road Frontage of the Property Owner for whose benefit the driveway permit is issued. This Road Frontage is determined by projecting the property lines to the centerline of the road. Radii on adjacent Road Frontage shall be permitted only upon obtaining a letter of encroachment from the adjacent Property Owner and/or when Traffic Services has determined that such extension is necessary.
- (C) If the driveway radius shall be at least 77 feet from the center line of the intersecting road and at least 17 feet from the future proposed Right-of-Way Line of the cross street, whichever distance is greater. The driveway radius shall not encroach on an intersection radius unless such encroachment is physically unavoidable.
- (D) The permit application shall specify the type of Driveway or Private Road requested, including the number lanes and the proposed traffic flow (e.g., two-way, one-way, divided, etc.) of driveways. Traffic Services may approve the requested driveway plans or may request that the Applicant make changes to insure safe operations and necessary spacing between driveways, based on anticipated traffic volumes on the driveways and on the road, type of traffic to use the driveway, type of roadside development, and other safety and operational considerations. Generally only one driveway will be permitted per parcel or lot.

SECTION 2. Number of Residential Driveways that may be permitted shall be determined as follows:

- (A) A private driveway serving three (3) or fewer lot, parcels, or condominium units shall be considered a private driveway and shall not be subject to the requirements of this section but-for any necessary driveway permits required by Grand Traverse County Road Commission (GTCRC).
- (B) Two (2) Residential Driveways may be permitted for residential property with more than 300 feet of Road Frontage if, in the opinion of Traffic Services, the additional driveway does not create a safety problem.
- (C) Two (2) Residential Driveways may be permitted on the same residential property, in lieu of the above, to serve a Circle Driveway if the Road Frontage of the residential property is 80 feet or more at the Right-of-Way Line. Residential Driveways on the same residential property shall be at least 45 feet apart, center-to-center.
- (D) Where a Residential Driveway serves two or more residential parcels, lots, or condominium units and divides outside the Rightof-Way to serve each parcel or lot, so that the other lot or lots have access to the existing public road, Applicant must obtain from the other Property Owners and file with the Whitewater TWP permanent access letter.

Section 3. The number of Commercial Driveways that may be permitted shall be determined as follows:

- (A) One (1) Commercial Driveway may be permitted for each separately owned parcel with less than 100 feet of Road Frontage; provided that the parcel is wide enough for the minimum driveway width, plus the required radii.
- (B) Additional Commercial Driveways may be permitted for commercial property with more than 100 feet of Road Frontage; provided that the sum of the driveway widths of these additional driveways does not exceed 15 percent of the Road Frontage in excess of the first 100 feet; and further provided that any and all GTCRC safety, traffic volume, traffic flow, and operational concerns are met along with Whitewater TWP's planning commission (PC) approval recommendation.
- (C) Two (2) Commercial Driveways may be permitted, in lieu of the above, to serve as two one-way directional drives if the Road Frontage is 300 feet or more. Commercial Driveways on the same property must be at least 70 feet apart, center to center.
- (D) Adjacent Property Owners may, and are encouraged to, consolidate their Commercial Driveways by using either a joint driveway system or a Road Frontage road. All Road Frontage roads are to be placed on private property outside of the future Right-of-Way as shown on the Board's current "Master Right of Way Plan". If Traffic Services approves such a system, a driveway permit shall be issued to all Property Owners concerned and shall state that there is an agreement that all properties shall have access to the road via the joint driveway and/or Road Frontage road. A copy of this agreement executed by all parties concerned shall accompany the application.
- (E) If the road carries one-way traffic, the dimensions given in these Rules may be altered so that the prohibited movements are discouraged. If the driveway system is on the left-hand side of a one-way road, the dimensions used shall be based on the same principles as used on right-hand side driveways.

Section 4. Driveway or private road grade shall be determined using the following criteria:

- (A) If the road is uncurbed, the grade of the driveway shall meet at the existing outside edge of the shoulder.
- (B) If the road is curbed, the grade of the driveway shall meet the existing edge of pavement.
- (C) The grade of two-way, one-way, and divided commercial driveways shall be reviewed by the GTCRC and Whitewater TWP using guidance from the current MDOT GEO-680 Series – Geometric Design Guide for Commercial Driveways.
- (D) The grade of Residential Driveway and Utility Driveway entrances shall be a maximum of ten (10%) percent.
- (E) Vertical curves (50 feet minimum) shall be provided at all changes of grade of four percent or more.

(F) If the sidewalk elevation must be adjusted to meet the driveway, the slope shall not exceed 1/4 inch per foot and all ADA requirements.

SECTION 5 CLEAR VISION AREAS, BUFFER AREAS, AND SIGHT DISTANCES

- (A) At intersections or railroad crossings where the Board controls Limited Access Right-of-Way to provide a Clear Vision Area, no driveway shall enter or cross any part of that Clear Vision Area.
- (B) This Clear Vision /Buffer Area may consist of a lawn area, ditch, or equivalent method, and may require the removal of trees, brush, earthen embankments, and other obstructions and must be kept clear.
- (C) Minimum Sight Distances for Commercial Driveways and Private Road approaches shall be in accordance with Figure 6-1 on the next page below:
- (D) Minimum Sight Distances for Residential Driveways shall be measured 10 feet from the edge of the traveled portion on gravel roads or 10 feet from the edge of pavement on paved roads in accordance with the following:

Speed limit M.P.H.	Table 5-1 Minimum sight distance					
	25-30	35	40	45	50	55
Commercial Drives/Private roads	280-335	390	445	500	555	610
Residential drive	155-200	250	305	360	425	495

Sight Distance will be measured from an eye height of 3.5 feet to an object height of 3.5 feet.

- (E) The Grand Traverse County Road Commission (GTCRC) or Whitewater TWP may require the Driveway or Private Road be located in a location that provides Sight Distances in excess of the minimums provided herein, or that improvements be made to provide for Sight Distances in excess of such minimums. Applications for driveways, which do not provide the minimum Sight Distance, may be denied.

SECTION 6 RULES AND DEFINITIONS OF STANDARD DRIVEWAY DIMENSIONS

The design features described herein with their appropriate illustrations of various driveway features as shown shall be used by Applicants in dimensioning proposed driveways or driveway systems on plans accompanying driveway permit applications. These standard dimensions will be used unless conditions require a deviation and the Applicant can show cause for deviation. Traffic Services reserves the right to determine whether a deviation shall be granted, and may specify particular dimensions, in order that a particular driveway system will accommodate the vehicles normally expected without creating undue congestion or hazard on the road.

- (A) Intersecting Angle”, the clockwise angle from the road edge of pavement, or road centerline if unpaved, to the driveway reference line (the centerline or edge of the driveway).

- (B) "Driveway Width" the distance between driveway edges of pavement (or edges of the gravel surface, if applicable) measured at the point where the edges of the driveway become parallel (point b in the sketches). If the Right-of-Way Line is so close to the pavement that point b falls on the Driveway Property, then the width of the driveway Line shall be based on the projected at the Right-of-Way shall be based on the projected Driveway.
- (C) "Entering Radius", the radius of the driveway edge curve on the right side of a vehicle entering the Driveway Property.
- (D) "Exiting Radius", the radius of the driveway edge curve on the right side of a vehicle exiting the driveway Property.
- (E) "Curb Ending", the length of a driveway curb taper from full curb height to ground level shall be a minimum length of ten feet.
- (F) "Right-Turn Lane Length", the length of auxiliary lane constructed preceding the driveway to accommodate traffic entering the Driveway Property sketches). If the Right-of-Way Line is so close to the pavement that point b falls on the Driveway Property, then the width of the driveway at the Right-of-Way Line shall be based on the projected Driveway width.
- (G) "Entering Radius", the radius of the driveway edge curve on the right side of a vehicle entering the Driveway Property.
- (H) "Exiting Radius", the radius of the driveway edge curve on the right side of a vehicle exiting the driveway property.
- (I) "Curb Ending", the length of a driveway curb taper from full curb height to ground level shall be a minimum length of ten feet.
- (J) "Right-Turn Lane Length", the length of auxiliary lane constructed preceding the driveway to accommodate traffic entering the Driveway Property.
- (K) "Right-Turn Lane Width" the width of pavement from the outside edge of the through lane to the outside edge of the right-turn lane, or the width of road from outside edge of the through lane to the outside edge at the full width of the entering and exiting tapers.
- (L) "Entering Taper", the length of the diagonal pavement widening, preceding the driveway.
- (M) "Exiting Taper", the length of the diagonal pavement widening, following the driveway.
- (N) "Entrance Drive Width", the width of the entrance half of a divided or a directional driveway which has been designated for the use of a vehicle entering the driveway property.
- (O) "Exit Drive Width", the width of the exit half of a divided or a directional driveway which has been designated for the use of a vehicle exiting the driveway property.
- (P) "Island Width", the edge-to-edge distance between the entrance drive and exit drive of a divided driveway.
- (Q) "Island Length" The distance between ends of the island, measured parallel to the entrance and exit driveways.

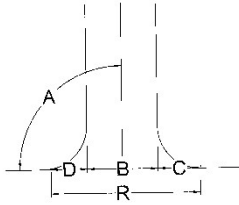
- (R) "Offset" Distance from centerline of roadway to start of radius of driveway.
- (S) "Culvert Offset", distance from centerline of roadway to centerline of culvert.
- (T) "Nose Offset", the distance between the edge of the turn lane or through lane and the traffic island of a divided or a directional driveway.
- (U) "Passing Lane Approach Length", the length of auxiliary lane constructed on the opposite side of the road preceding the driveway to accommodate through traffic passing the left turn traffic entering the driveway property.
- (V) "Passing Lane Departing Length", the length of auxiliary lane constructed on the opposite side of the road following the driveway to accommodate through traffic passing the left turn traffic entering the driveway property.
- (W) "Passing Lane Width", the width of pavement from the outside edge of the through lane to the outside edge of the passing lane.
- (X) "Passing Lane Approaching Taper", the length of the diagonal pavement widening preceding the passing lane.
- (Y) "Passing Lane Departing Taper", the length of the diagonal pavement widening following the passing lane.
- (Z) "Exiting Lane Length" the length of auxiliary lane constructed following the driveway to accommodate traffic exiting driveway property.

SECTION. 7 RULE STANDARD DIMENSIONS FOR RESIDENTIAL DRIVEWAYS

The dimensions of a Residential Driveway shall conform to those given in Tables 7-1 and 7-2.

Table 7-1:
Residential Driveway

<u>Design Features</u>		<u>Typical</u>	<u>Range</u>
Intersecting Angle	A	90°	70° to 90°
Driveway Width	B	16'	12' to 35'
Entering Radius	C	10'	5' to 35'
Exiting Radius	D	10'	5' to 35'
Total Opening B+C+D=	R	36'	14' to 55'



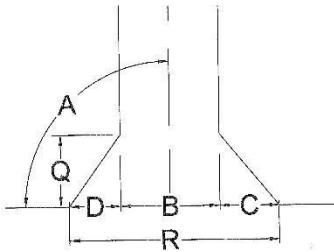
NOTE:

The TYPICAL dimension shall be used unless Traffic Services specifies or the Applicant shows cause for, and Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

**Table 7-2:
Residential Driveway - Subdivision**

<u>Design Features</u>		<u>Typical</u>	<u>Range</u>
Intersecting Angle	A	90°	60° to 90°
Driveway Width	B	16'	10' to 25'
Entering Taper Width	C	6'	2' to 15'
Exiting Taper Width	D	6'	2' to 15'
Taper Depth	Q	10'	10' to 20'
Total Opening	R	24'	14' to 55'

B+C+D=



NOTE:

The TYPICAL dimension shall be used unless Traffic Services specifies or the Applicant shows cause for, and Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

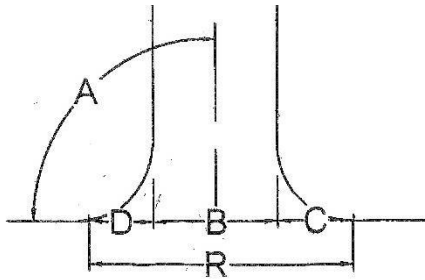
SECTION 8 RULE STANDARD DIMENSIONS FOR COMMERCIAL DRIVEWAYS AND PRIVATE ROADS

(A) Two-way Commercial Driveways shall be designed to accommodate one lane of traffic in each direction. The dimensions of a Two-way Commercial Driveway shall conform to those given in Table.

**Table 8-1:
Two-Way Commercial Driveway Dimensions**

<u>Design Features</u>		<u>Typical</u>	<u>Range</u>
Intersecting Angle	A	90°	60° to 90°
Driveway Width	B	24'	22' to 40'
Entering Radius	C	35'	10' to 35'

Exiting Radius	D	35'	10' to 35'
Total Opening			
B+C+D=	R		42' to 105'



NOTE: The TYPICAL dimension shall be used unless the Traffic Services specifies or the Applicant shows cause for, and the Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

(B) The dimensions of a Directional One-way Commercial Driveway system shall conform to those given in Table 8-1.

NOTE:

The TYPICAL dimension shall be used unless Traffic Services specifies or the Applicant shows cause for, and the Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

Table 8-2:
Directional (One-Way) Commercial Driveway Dimensions
Design Features Typical

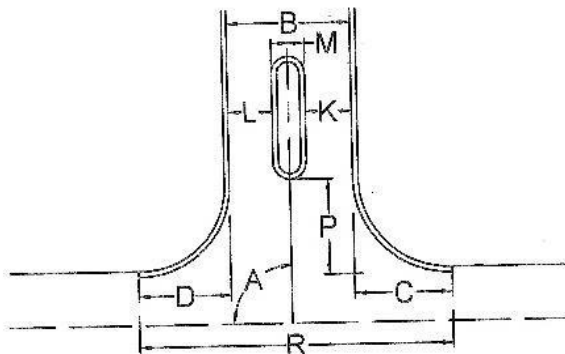
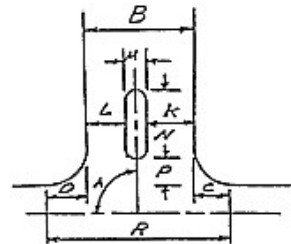
	Intersecting Angle		90°	
	Driveway Width		16'	
			35'	<u>Range</u>
One Way IN	Entering Radius	A		60° to 90°
		B	5'	16' to 20'
	Exiting Radius	C		20' to 35'
		D	5'	5' to 10'
One Way Out	Entering Radius		35'	
	Exiting Radius	C	25'	5' to 10'
	Total	D		10' to 35'
	B+C+D=	R		42' to 105'

The TYPICAL dimension shall be used Table 8.2 unless Traffic Services specifies or the Applicant shows cause for, and the Traffic Services approves, a different value. The RANGE in dimension indicates the working value for each design feature.

(C) A Divided Commercial Driveway shall have a curbed island separating the entrance drive and the exit drive. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The minimum area of the island shall be 50 square feet. The dimensions of a Divided Commercial Driveway shall conform to those given in Table 6-6.

Table 8-3:

<u>Design Features</u>		<u>Typical</u>	<u>Range</u>
Intersecting Angle	A	90 °	60 ° to 90°
Driveway Width	B	60 '	46 ' to 78'
Entering Radius	C	35 '	15 ' to 35'
Exiting Radius	D	35 '	10 ' to 35'
Entrance Drive Width	K	22 '	20 ' to 27'
Total B+C+D=	R		71' to 148'
			Exit Drive Width L 22' 20' to 27'

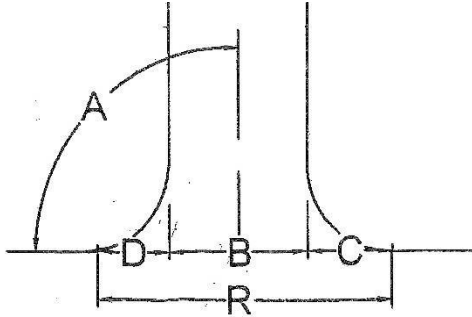


NOTE:

The TYPICAL dimension shall be used unless the Traffic Services specifies or the Applicant shows cause for, and the Traffic Services approves, a different value. The RANGE in dimension indicates the working value for each design feature.

SECTION 9 RULE STANDARD DIMENSIONS FOR UTILITY DRIVEWAY ENTRANCES

The dimensions of a Utility Driveway entrance shall conform to those given in Table.

Table 9-1:**Utility Driveway**

<u>Design Features</u>		<u>Typical</u>	<u>Range</u>
Intersecting Angle	A	90°	60° to 90°
Driveway Width	B	16'	12' to 35'
Entering Radius	C	10'	5' to 35'
Exiting Radius	D	10'	5' to 35'
Total Opening B+C+D=	RD	1036"	225' to 105" to 35'

NOTE:

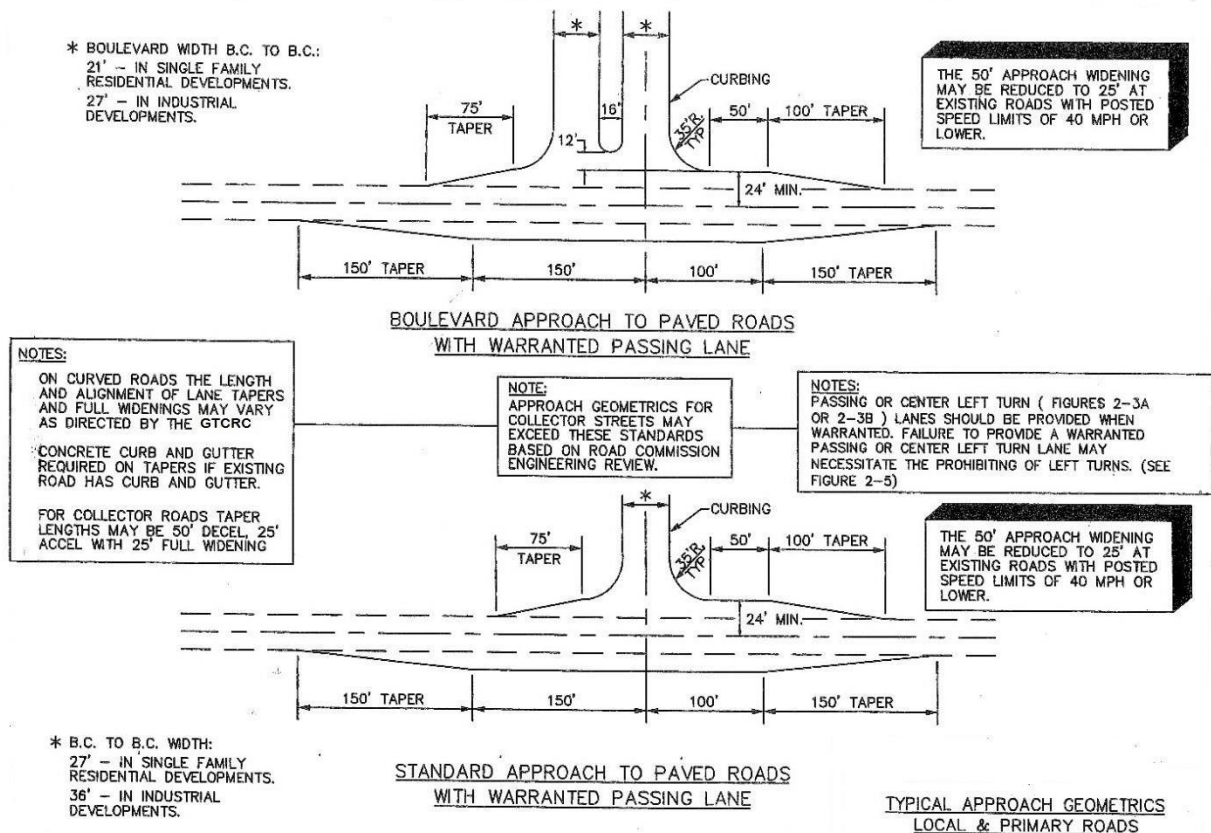
The TYPICAL dimension shall be used unless Traffic Services specifies or the Applicant shows cause for, and Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

SECTION 10 AUXILIARY LANE AND TAPER REQUIREMENTS

- (A) Applicant is strongly encouraged to consider the benefits of auxiliary right-turn deceleration lanes and left turn passing lanes. These additional lanes, located at the driveway, will enhance the accessibility, safety and image of the proposed development. Traffic volumes or safety issues may warrant the prohibition of left turns at driveways on two-way, two-lane roads without passing lanes.
- (B) Figure shows when left turn prohibition is warranted. Table shows the dimensions of passing lanes.

Table: 10.1
Passing Lane
Design Features

		<u>Typical</u>	<u>Range</u>
Approaching Taper	V	150'	100' to 150'
Departing Taper	W	150'	100' to 150'
Approaching Lane Length	S	150'	100' to 200'
Departing Lane Length	T	100'	50' to 100'
Pavement in Width passing lane	U	12'	11' to 12'



The TYPICAL dimension shall be used unless Traffic Services specifies or the Applicant shows cause for, and the Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.

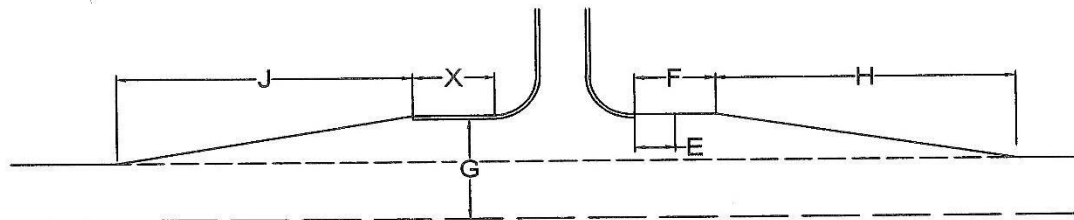
10.3 Figure shows when a right-turn deceleration lane or taper is warranted. Table 6-9 shows the dimensions of right-turn deceleration lanes and tapers for Commercial Driveway or Private Road approaches.

Table 10.2:
RIGHT-TURN LANE AND TAPERS FOR COMMERCIAL DRIVEWAYS AND PRIVATE ROAD APPROACHES

		<u>Curbed Road</u>		<u>Uncurbed Road</u>	
<u>Design Features</u>		<u>Typical</u>	<u>Range</u>	<u>Typical</u>	<u>Range</u>
Curb Ending	E	Not Applicable		10'	(No Range)
Right-Turn Lane Length	F	25'	0' to 150'	25'	0' to 150'
Pavement/Width from CL of Road	G	24'	22' to 24'	24'	22' to 24'
Entering Taper	H	100'	75' to 150'	100'	75' to 150'
Exiting Lane Length	X	25'	0' to 100'	25'	0' to 100'
Exiting Taper	J	75'	50' to 100'	75'	50' to 100'

NOTE:

The TYPICAL dimension shall be used unless Traffic Services otherwise specifies or the Applicant shows cause for, and Traffic Services approves, a different value. The RANGE in dimensions indicates the working value for each design feature.



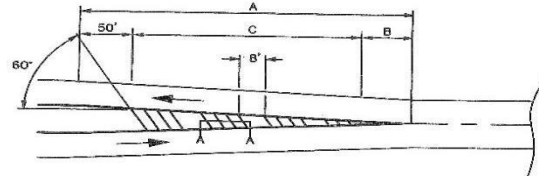
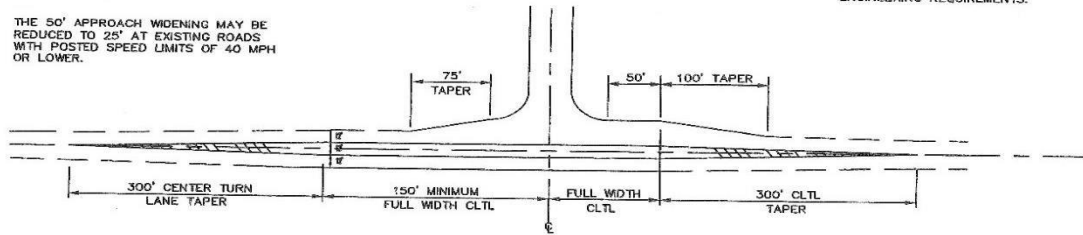
10.2 Where center left turn operation exists or is warranted due to the proposed approach, see Figures 6-4 and 6-5. Figure shall be used for lane shifts of not more than 6 feet. Where an eccentric lane shift is proposed, the taper length shall be in accordance with the M.M.U.T.C.D.

10.3 If proposed entrance or exit tapers overlap with current existing tapers, the Applicant shall indicate the overall lane length that will result and the A.A.S.H.T.O. required exit taper lengths and signing requirements.

NOTES:

ON CURVED ROADS THE LENGTH AND ALIGNMENT OF LANE TAPERS AND FULL WIDENINGS MAY VARY AS DIRECTED

THE 50' APPROACH WIDENING MAY BE REDUCED TO 25' AT EXISTING ROADS WITH POSTED SPEED LIMITS OF 40 MPH OR LOWER.



SECTION A-A
CORRUGATED HMA DIVIDER - DEPRESSED

NOTES:

GEOMETRICS MAY BE ALTERED BY GTCRC BASED ON TRAFFIC ENGINEERING REQUIREMENTS.

W = LANE SHIFT
S = POSTED OR DESIGN SPEED

$$A = \frac{\leq 40 \text{ M.P.H.}}{W \times S^2} \quad \frac{\geq 45 \text{ M.P.H.}}{W \times S^2} \quad \text{ROUNDED TO NEXT 25'}$$

$$B = 2.25 / \left(\frac{W}{S} \right) \quad \text{ROUNDED TO NEAREST FOOT}$$

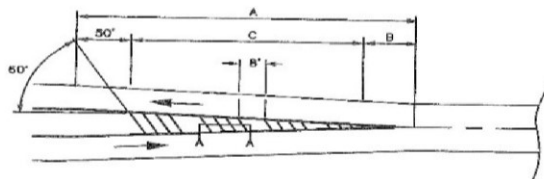
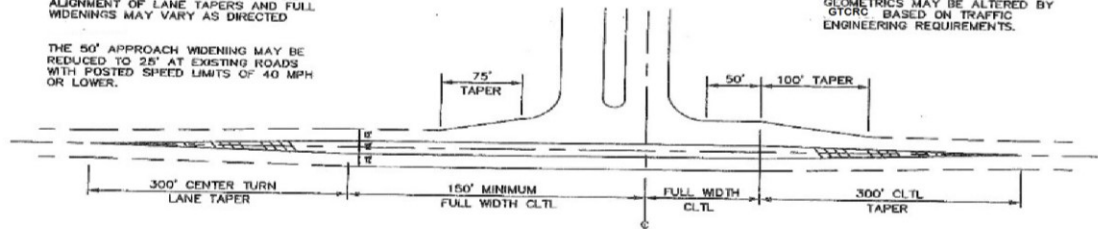
$$C = A - (50 + B) \quad \text{ROUNDED TO NEAREST FOOT}$$

**CENTER LEFT TURN GEOMETRICS
WITH A STANDARD APPROACH**

NOTES:

ON CURVED ROADS THE LENGTH AND ALIGNMENT OF LANE TAPERS AND FULL WIDENINGS MAY VARY AS DIRECTED

THE 50' APPROACH WIDENING MAY BE REDUCED TO 25' AT EXISTING ROADS WITH POSTED SPEED LIMITS OF 40 MPH OR LOWER.



SECTION A-A
CORRUGATED HMA DIVIDER - DEPRESSED

NOTES:

GEOMETRICS MAY BE ALTERED BY GTCRC BASED ON TRAFFIC ENGINEERING REQUIREMENTS.

W = LANE SHIFT
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$$A = \frac{\leq 40 \text{ M.P.H.}}{W \times S^2} \quad \frac{\geq 45 \text{ M.P.H.}}{W \times S^2} \quad \text{ROUNDED TO NEXT 25'}$$

$$B = 2.25 / \left(\frac{W}{S} \right) \quad \text{ROUNDED TO NEAREST FOOT}$$

$$C = A - (50 + B) \quad \text{ROUNDED TO NEAREST FOOT}$$

**CENTER LEFT TURN GEOMETRICS
WITH A BOULEVARD APPROACH**

SECTION 11

PAVING AND CURBING

Residential Driveways:

- (A) If the road has existing curb and gutter, the driveway shall also have curb and gutter matching at the point of curvature. If the road lacks curb and gutter, the curb and gutter ending adjacent to the road shall be located at least 24 feet from the centerline of the pavement and shall be parallel to the road.
- (B) Connections to a Paved road:
- (C) Driveways should be paved between the edge of pavement and the existing sidewalk. If there is no existing sidewalk, the surfacing should extend at least 10 feet from the edge of pavement. Curb cuts and/or curb returns shall be constructed based on the current GTCRC standards for curb and gutter. The driveway, where it intersects with existing sidewalk, shall comply with A.D.A. design criteria.
- (D) Pavement cross-sections should be as follows:
6 inches of concrete over a suitable base.
3 inches of M.D.O.T. 36A H.M.A. placed in two equal lifts over 6 inches of 21AA aggregate base.
- (E) Connections to an unpaved road:
- (F) If the driveway is to be unpaved, it may be surfaced with stabilized gravel.
- (G) If the driveway is to be paved, the paving shall extend no closer to the road than one (1) foot behind the driveway culvert location or 5 feet from the edge of the road.
- (I) Pavement cross-section should be as follows:
- 6 inches of concrete over a suitable base.
 - 3 inches of M.D.O.T. 36A H.M.A. placed in two equal lifts over 6 inches of 21AA aggregate base.

SECTION 12

COMMERCIAL DRIVEWAYS AND PRIVATE ROADS:

- (A) If the road has existing curb and gutter, the driveway shall also have curb and gutter matching at the point of curvature. If the road lacks curb and gutter, the curb and gutter ending adjacent to the road shall be located a minimum of 18 feet from the centerline of the pavement and shall be parallel to the road.
- (B) Connections to a Paved road:
- (B1) Driveway should be paved between the clean edge of road pavement and the existing sidewalk. If there is no existing sidewalk, the surfacing should extend to the Right-of-Way line or 10 feet from the edge of pavement whichever is greater. Curb cuts and/or curb returns shall be constructed based on the current GTCRC standards for curb and gutter.
- (B2) Pavement cross-section should be as follows:
9 inches of M.D.O.T. 35-P concrete over a suitable base
9 inches of "deep strength" asphalt pavement consisting of 2 inches of M.D.O.T. 4C H.M.A., over 3 inches of M.D.O.T. 3C H.M.A., over 4 inches of M.D.O.T. 2C H.M.A., over a suitable base, placed in four lifts of 2", 2", 3", and 2."

(C) Connections to an unpaved road:

- (C1) If the driveway is to be unpaved, it may be surfaced with stabilized M.D.O.T. 22A gravel.
- (C2) If the driveway is to be paved, the paving shall extend no closer to the road than one (1) foot behind the driveway culvert location or 5 feet from the edge of the road.
- (C3) Pavement cross-section should be as follows:
6 inches of concrete over a suitable base.
4 inches of M.D.O.T. 4C H.M.A. placed in two equal lifts over 6 inches of 21AA aggregate base.

SECTION 13 Utility Driveway entrances may be surfaced with stabilized gravel and may be uncurbed. In certain locations, paving and curbing may be required on Utility Driveways.

SECTION 14 Additional lanes and accompanying tapers shall be surfaced with the same material as the pavement of the road, unless the Traffic Services allows the use of an alternate equivalent pavement.

- (A) Where the existing road surface is asphalt, tapers, right turn lanes and passing lanes shall be 9 inches "deep strength" asphalt, consisting of 2 inches of M.D.O.T. 4C H.M.A. over 3 inches of M.D.O.T. 3C H.M.A. over 4 inches of M.D.O.T. 2C H.M.A., on suitable, well-drained subsoil.
- (B) Where the existing road surface is concrete, tapers and additional lanes shall be 9 inches non-reinforced concrete with anchor bolts to the existing concrete at 40 inches on center.
- (C) The Traffic Services may request a special pavement design under special conditions, including but not limited to poor soil, industrial or heavy truck use, all weather route, etc.
- (D) If an overlay of the entire road is warranted the following cross-section shall be used; 2 inches of M.D.O.T. 4C H.M.A.
- (E) The cross-slope of all additional lanes and all tapers shall be a continuation of the cross-slope of the existing road pavement unless otherwise specified by Traffic Services.

SECTION 15 The Road Shoulder: adjacent to all additional lanes and tapers shall conform to the current M.D.O.T. Standard Specifications for Construction. In areas with existing paved shoulders, the paved shoulder shall be removed and replaced with specified pavement. At a minimum a 3-foot wide paved shoulder, consisting of 2 inches of M.D.O.T. 4C H.M.A. over 3 inches of M.D.O.T. 3C H.M.A. over 4 inches of 2C H.M.A. over a suitable base, and a 5-foot wide, 8-inch thick, M.D.O.T. 22A2 processed road gravel shoulder, shall then be constructed next to the new widening.

At the discretion of Traffic Services, curb and gutter shall either be the same detail as the existing curb and gutter, or shall conform to the current GTCRC standards for curb and gutter.

- (A) The curb height shall be constant if there is no existing or proposed sidewalk.
- (B) Where a driveway grade meets the grade of an existing sidewalk, the curb shall be lowered to provide a sidewalk curb opening.
- (C) All walks and curbs shall conform with the requirements of Act 8 of 1973 (MCL 125.1361) and the Americans with Disabilities Act of 1990, which require appropriate curb cuts to walks for handicapped access.

SECTION 16**RIGHT-OF-WAY DRAINAGE**

- (A) The driveway shall be constructed so that the drainage of the road is not adversely affected by the driveway. The drainage and the stability of the road subgrade shall not be altered by driveway construction or roadside development.
- (B) Drainage from adjacent private property in excess of assumed agricultural run-off should not be discharged directly into the road drainage system. Drainage from areas, which did not previously contribute to the road drainage system, will not be accepted unless specifically authorized by the Traffic Services.
- (C) All culvert pipes used shall be of a size adequate to carry the anticipated flow of the ditch based on a "ten year storm" event. Culverts alongside a roadway shall be no smaller than 15 inches inside diameter, and culverts draining under roadways shall have an inside diameter no smaller than 15 inches. All culverts, catch basins, drainage channels, and other drainage structures required within the Right-of-Way shall be manufactured or constructed and installed in accordance with the current M.D.O.T. Standard Specifications for Construction. The minimum length of the culvert may be determined as the sum of the width of the driveway plus the adjacent fore slope and back slope, maximum slope of 1 on 33. The use of headwalls on culvert ends will not be permitted. The use of sloped end sections is encouraged and may be required by Traffic Services.
- (D) Existing ditches may not be eliminated, reduced in cross-section, or enclosed beyond the end of normal culvert length, unless specifically approved by Traffic Services. An approved ditch enclosure must satisfy the following conditions:
- (E) Jurisdictional private road and driveway permitting may also be require either GTCRC and or MDOT. The onus lies with the property owner to obtain and supply a copy of any required permits (if any) to Whitewater TWP.
- (F) Installation of catch basins to collect surface and road drainage (provide rim elevations). Contruction of swales to direct surface and road drainage to catch basins.
- (G) Installation of a culvert designed to carry the existing ditch flow consistent with the next culvert upstream, but in no case with a diameter less than 12-inches. Provide calculations of the existing ditch flow and proposed culvert capable of handling a "ten year storm" event.
- (E) Approval from the GTCRC Maintenance Department.

SECTION 16**PARKING AND STORAGE**

Permit Holder shall provide adequate storage for vehicles parking or waiting to be serviced, so as not to interfere with pedestrian and vehicular safety, vision requirements, or traffic operations on the road. No parking areas will be allowed in the Right-of-Way other than on street parking as authorized by the Michigan Vehicle Code. No permits will address on-street parking.

SECTION 17 **TRAFFIC CONTROL DEVICES AT DRIVE APPROACHES**

At all times during the construction, clean-up and other permitted and related activities, the Permit Holder shall provide and properly maintain temporary traffic control devices, including signs and pavement markings, that are necessary for the safe and proper use of the county road in the vicinity of the driveway approach. All traffic control devices, including signs and pavement markings, shall conform to the M.M.U.T.C.D.

The GTCRC shall determine what permanent signs, markings, and traffic control devices are necessary and install them at the expense of the Permit Holder. Permanent signs, markings, and other traffic control devices shall be in conformity with M.M.U.T.C.D. Sign and pavement marking fees are non-refundable and are payable at the time the permit is issued. Street name signs on Private Roads will be installed following completion of the approach, notification of completion of the permitted work by the Permit Holder, and inspection of the work and worksite by Traffic Services.

SECTION 18 **TEMPORARY DRIVES AND ROAD APPROACHES**

Temporary approach and drives must be removed and the Right-of-Way restored to its original condition not to exceed one year. GTCRC may require permitting of such access.

Whitewater TWP currently has farm lanes (two tracks) entering and exiting used for farm purposes accessing orchards and fields. This ordinance/standards is not intended to put undue burdens upon existing assesses. These ordinances/rules/standards are not retroactive and become effective upon Whitewater Township Board approval, posting, and legal notice requirements completed.

SECTION 19 **SEASONAL DRIVEWAYS**

Unoccupied and vacant properties are not required by the TWP to keep their unused driveway clear of snow and passable year round notwithstanding; some insurance policy's do require a clear access and this burden is on the property owner/'s.

SECTION 20 **SEASONIAL DRIVEWAYS**

Seasonal driveways serving more than two (2) dwellings, it is a requirement of Whitewater Township that the driveway remain vehicular passable. Upon request, a special circumstances variance may be requested in writing, presented to the zoning administrator for review of the planning commission (PC).

SECTION 21 **SHARED PRIVATE DRIVEWAY JOINT USER PERMISSION AGREEMENTS**

A shared driveway "by definition" must have a written agreement between all parties granting equal unrestricted access and ability to use the common driveway "common area", this agreement shall roll with the land and be recorded with Grand Traverse County Register of Deeds.

SECTION 22**SHARED PRIVATE ROADS**

It is the intent of this section to provide an effective mechanism for the real estate owners of lots, parcels, or condominium units to: maintain the easement in a safe condition for the owners, their guests, governmental agencies, emergency services providers and public utilities.

Shared private roads shall provide an agreement indicating all parties have equal unrestricted access and ability to use of the private road. The agreement shall provide for maintenance of the road maintaining a safe condition for the owners, their guest, government agencies, emergency services providers, public utilities and roll with the land. The agreement shall be recorded with Grand Traverse County Register of Deeds. Documentation shall be supplied to Whitewater TWP upon request.

SECTION 23 CURRENT AND EXISTING PRIVATE DRIVEWAYS AND PRIVATE ROADS

Whitewater TWP "Private Road and Driveway Ordinance Minimum Design Standards" is not retroactive.

Current existing private roads and driveways prior to Whitewater TWP's enactment of this ordinance are exempted under the "grandfather clause" defined as: "a clause, or legacy clause, is an exemption that allows persons or entities to continue with activities or operations that were approved before the implementation of new rules, regulations, or laws. Such allowances can be permanent, temporary, or instituted with limits".

LEELANAU TOWNSHIP
PRIVATE ACCESS ROAD ORDINANCE
ORDINANCE NO. 90-1
(Effective March 31, 1990, Amended 12/31/97, 5/11/99)

An Ordinance providing for the standards and specifications incident to the development of private motor vehicle access to condominiums and lots within subdivisions, in accordance with P.A. 1967, No. 288 (as amended) and P.A. 1945, No. 26 (as amended).

The Township of Leelanau therefore ordains:

1. NAME

The Ordinance shall be known as " The Leelanau Township Private Access Road Ordinance"

2. PROJECTS REGULATED

This Ordinance shall be applicable to all accesses -- whether they be easements, ways, private drives, common areas, or otherwise -- by which more than four (4) lots or residential units are bounded by common motor vehicle access, or through which common motor vehicle access passes to the nearest public road. Reference to the word "subdivision" refers not only to projects falling within that definition under P.A. 1967, No. 288, but also includes any other group of residential units, including, without limitation, condominiums and other developments that, but for the lot size requirements of subparagraph (d) of 1967, No. 288, Section 102, would be construed as "subdivisions" within the definition of that Act.

3. PLAN AND PROFILE

Plan and profile drawings of the proposed private access road shall be prepared by the Applicant's Engineer in detail complete enough to be used as construction plans. The drawings shall show the proposed gradients of such roads and the location of drainage facilities and structures, along with any other pertinent information. The maximum grade permitted shall be twelve percent (12%), although shallower grades are required, dependent on length, according to the following:

<u>Gradient</u>	<u>Maximum Length</u>
Over 8% to 10% --	900 feet
Over 10% to 12% --	300 feet

Sight distance and horizontal and vertical alignment shall be based on a minimum design speed of twenty (20) miles per hour and shall be in accordance with the American Association of State Highway and Transportation Officials' (AASHTO) "Policy of Geometric Design of Highways and Streets," under the designation of "Recreational Roads". The maximum grade at intersections and turnaround areas shall be two percent (2%). The minimum radius for turnaround areas shall be sixty (60) feet. Vertical and horizontal curves shall be used at all changes in grade or direction.

4. CLEARING AND GRUBBING

All trees, stumps, brush and roots thereof shall be entirely removed from within the grading limits. All graded areas shall have topsoil replaced, be seeded, fertilized and mulched in accordance with Leelanau County Soil Conservation District Office recommendations.

5. GRADING AND STRUCTURES

The presence of other than granular materials in sub-grade soil shall require undercutting and full width placement of a minimum of twelve (12) inches of granular sub-base. All peat and mulch shall be removed from the sub-grade.

The level of the finished sub-grade shall be at least two and one-half (2 ½) feet above the water table.

Drainage ditches shall be constructed on each side of the roadway in cut sections and in fill sections when required. Ditches shall be of sufficient depth to permit placing of future connecting driveway entrance culverts.

6. DRAINAGE

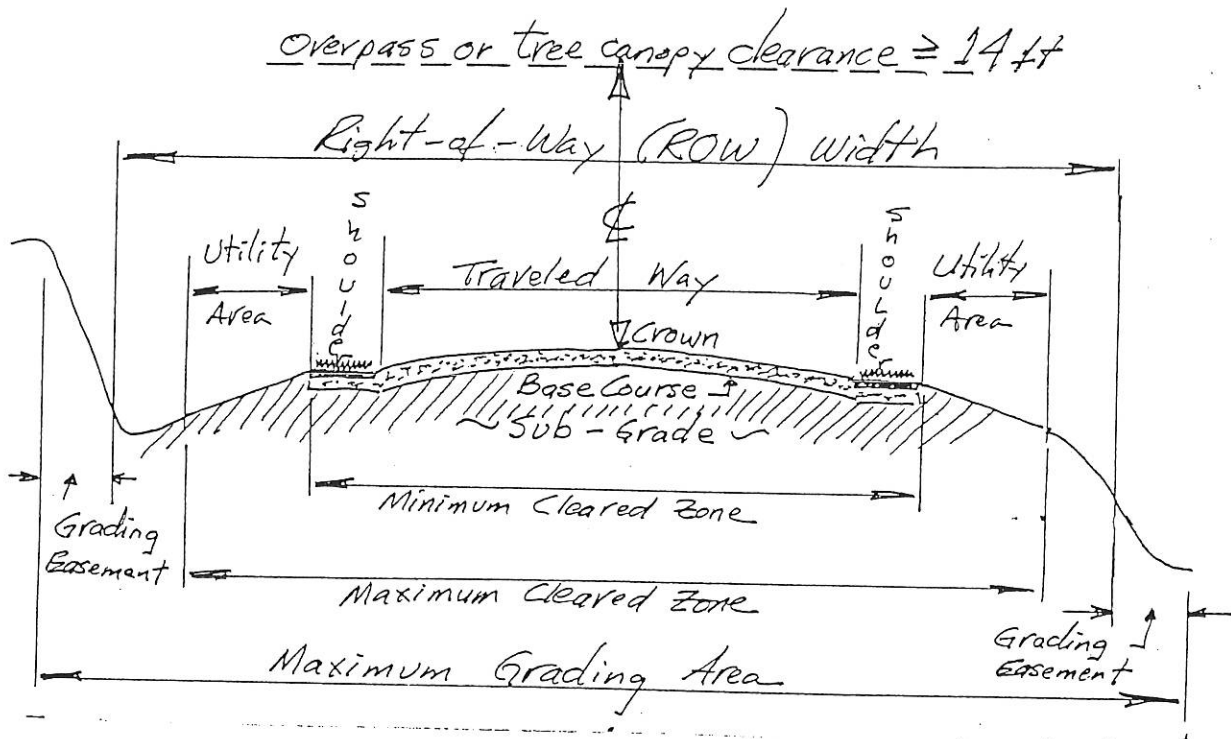
A drainage plan, submitted on a topographic map with no larger than five (5) foot contour intervals shall be submitted, indicating the manner in which surface drainage is to be disposed of. In no case shall runoff from a subdivision be diverted due to construction beyond the limits of that subdivision onto adjacent property unless appropriate easements are provided. A crown of sufficient slope to insure drainage shall be provided across the width of the traveled-way for either gravel- or bituminous-surfaced roads. The plan shall meet the requirements of the Leelanau County Soil Conservation District Office and the Leelanau County Drain Commissioner's Office.

7. LENGTH, WIDTH, AND VERTICAL CLEARANCE

The Right-of Way, (preserved by recorded easements), the Traveled Way, shoulders, utility areas and cleared zones are to be minimally dimensioned as shown below, depending on the number of lots served and the end connections.

#Lots/Residences to be served	Traveled Way Width	Shoulder Width	Minimum Clear Zone	Utility Area (one side)	Recorded ROW Easement
All Measurements in feet					
1 through 4	Not applicable, See Zoning Ordinance, Article 11, Section 11.11				
5 through 10	16	2	20	6	30
11 through 16	18	2	22	8	35
17 through 49	20	3	26	10	40
Access to public road, or 50 or more lots	22	5	32	10	50

Figure 1 - Private Access Road Dimensions



Maximum distance of a private access road shall be four thousand (4000) feet as measured from a public road to the end of the furthest turn-around. If the distance is greater than 4000 ft. or for a subdivision creating a total of fifty (50) or more lots, one or more additional connections to a public road or to an adjacent private road of similar specifications are required. Overhead clearances under bridges or tree branches shall be maintained at fourteen (14) feet over a twelve (12) foot width in order to allow free passage of large emergency vehicles.

* Note: Minimum traveled way and/or minimum cleared zones may be reduced if required in writing by another governmental agency for environmental reasons.

8. GRAVEL OR BITUMINOUS BASE COURSES

A six (6) inch aggregate finish course of 23A processed road gravel (Michigan DOT Standard Specifications) shall be placed and compacted for gravel roads. For bituminous-surfaced roads, a six (6) inch aggregate base course of 22A processed road gravel shall be placed and compacted.

9. SHOULDERS

Shoulder material shall be compacted so as not to rut or displace under traffic, and shoulder design and ditch construction shall otherwise meet the recommendations of the County Soil Conservation District and County Drain Commission Offices.

10. GUARD RAIL

Pressure-treated (other than creosote) wood guardrail with twelve (12) foot post spacing or posts alone with spacing of eight (8) feet are required at fill sections where the embankment is greater than six (6) feet in height and the fill slope is steeper than 1 on 3. The construction of 1 on 3 is preferred over the use of guardrails and is required where practicable. Where guardrail or posts are used, shoulders shall be constructed two (2) feet wider than the standard engineering recommendations shown in Item # 7 above without the guardrail.

11. SURFACING

If a bituminous surface is used on a private access road, it shall be placed on at least six (6) inches of compacted 22A aggregate (MDOT Standard Specifications). The bituminous aggregate pavement course shall be laid by an MDOT- prequalified contractor at a rate of at least one hundred seventy pounds per square yard (170#/SQY) of C.A.L.C. (MDOT Standard Specifications) and may be applied in one course.

12. PRIVATE ACCESS ROAD NAMES

Private Access Roads shown on plats shall be designated by name and in conformance with the Leelanau County Address Ordinance.

The Applicant shall furnish and erect private road name signs at all intersections within the subdivision and entrances thereto. The design of the signs shall be similar to road name signs currently being purchased for use on existing county roads.

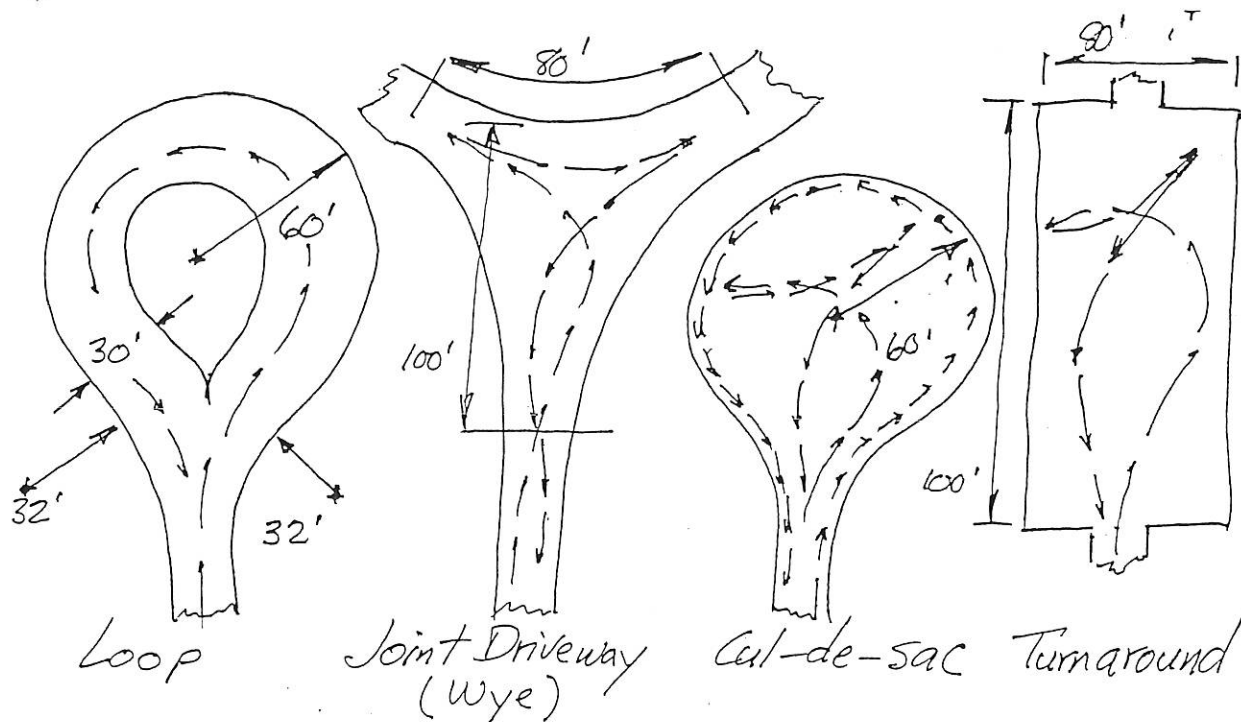
13. PRIVATE ACCESS ROAD ALIGNMENT

Private Access Roads should intersect with each other or with public roads at ninety degrees (90) or closely thereto and in no case less than eighty degrees (80).

Where the proposed continuation of an access road at an intersection is not in good alignment with the opposing road, it must not intersect the crossroad closer than one hundred seventy-five (175) feet from such opposite existing road, as measured from the centerline of said roads.

For the end of any private access road, the design must provide for turn-around of large vehicles, either with a loop, a cul-de-sac, a wye or a rectangular area of sufficient length, width or radius for accommodating a 40 foot long large single-unit vehicle such as a firetruck. Examples are shown on the following page:

Figure 2 - Turn-around Examples



14. ACCESS TO SUBDIVISION ACROSS OTHER PROPERTY

The regulations set forth in this Ordinance are applicable to all private access roads between the subdivision and the public road, regardless of whether the fee or equitable owner of all or part of the private access road is the same person developing the subdivision.

15. TESTED MATERIALS

All materials incorporated in the work shall meet the specifications called for, or be approved by the Engineer.

16. NOTICE OF PRIVATE ACCESS

Prior to the sale of any units within the subdivision or condominium project, the developer shall record with the Leelanau County Register of Deeds Office the following notices against all lands served by the access:

(A) "Access to the lots or residential units within the following described property will not be maintained by the Leelanau County Board of County Road Commissioners." [Set forth a legal description of the entire subdivision property perimeter.]

(B) "Any attempt by lot or residential owners to dedicate any access road(s) between the following described property and public roads shall require approval by a vote of two-thirds (2/3) of all lot and residential owners. Said access road(s) shall conform to the specifications of the standards of the Leelanau County Road Commission. Any cost incurred in conforming the access road(s) to said standards shall be shared among the lot and residential owners. The Road Commission is not required to accept a dedication.

A copy of the recorded notice shall be given to the administrator before approval of the final plat (if applicable) or, in any event, before the conveyance of any lot (or unit) within the subdivision.

17. EXISTING NON-CONFORMING PRIVATE ACCESS ROADS

Roads existing and used as private access roads at the time this Ordinance becomes effective, and which do not meet all the design requirements specified herein, may continue to be used, provided that the safety features necessary for passage of emergency vehicles, such as minimum traveled way width of 12 feet and overhead clearance of 14 feet, are met prior to the issuance of land use permits to those to be served by the private access road. Verification of safety adequacy by the Township Fire Chief, or his designee, is required in such cases before land use permits are issued.

18. PERFORMANCE AND ENFORCEMENT

Violations of the Private Road Access Ordinance are considered as municipal civil infractions and enforcement actions will be taken accordingly.

19. ADMINISTRATION AND VARIANCES

The Township Board shall appoint the job of the Private Access Road Ordinance Administrator. The administrator shall receive and review all private access road construction plans to determine conformity with this Ordinance. Any applications for approval to this Ordinance shall be submitted to the Private Access Road Administrator, along with the applicable fee or deposit. The applicant shall be reimbursed for any portion of the deposit not used, and conversely, will be billed for the amount of engineering review costs that exceed the deposit. Upon the application of a person affected by this Section, the Leelanau Township Board may vary the terms and conditions imposed hereby, provided:

- (1) The proposed variance does not result in reduced safety, durability, drainage, erosion control, or the all-weather access aspects of the project; and;
- (2) If deemed necessary by the Leelanau Township Board, the applicant deposits with the request for variance, sufficient funds estimated to cover the cost to the Township of retaining a civil engineer to review the variance request, submit opinions thereon to the Township Board and draft conditions for approval. The minimum fee shall be as established by the Township Board in The Schedule of Fees, and the administrator shall determine the amount of deposit, based on the estimated review cost, if greater than the minimum.

20. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the day of publication in a newspaper of general circulation.. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

LEELANAU TOWNSHIP

By: _____
Richard Hufford, Supervisor

TOWNSHIP CLERK CERTIFICATE

The undersigned, Clerk of the Township of Leelanau, hereby certifies that the foregoing Ordinance was adopted by the Township Board on the 11TH DAY OF MAY, 1999; it was published in the Leelanau Enterprise on the 3RD DAY OF JUNE, 1999; and an attested copy of same was filed with the Leelanau County Clerk's Office on _____ 1999.

Dated: JUNE
Township Clerk

Ronald W. Chumma

Rachel's Private Road Research from 2022:

The image below was taken from the GT County Master Plan, page 11

https://www.acmetownship.org/uploads/2/4/3/0/24300134/gtcounty_masterplan_2013.pdf

I highlighted the Townships and 2020 population trends in yellow which most closely represent Whitewater's population and characteristics, including UTV traffic.

Population Trends by Municipality

Municipality	1980	1990	2000	2010	2020	2030	2010 Median Age	2010 Population Under 18 Yrs	2010 Population Over 65 Yrs
Acme Township	2,909	3,447	4,332	4,375	4,929	5,280	46.6	21.8%	18.7%
Blair Township	4,613	5,249	6,448	8,209	11,732	15,985	34.2	27.8%	8.3%
East Bay Charter Township	6,212	8,307	9,919	10,663	12,799	14,599	41.1	23.1%	11.9%
Fife Lake Township	1,056	1,344	1,517	2,791	2,709	2,969	38.4	12.3%	9.2%
Garfield Charter Township	8,747	10,516	13,840	16,256	21,861	27,641	43.0	20.1%	20.4%
Grant Township	676	745	947	1,066	1,415	1,744	44.9	22.7%	14.5%
Green Lake Township	2,997	3,677	5,009	5,784	7,441	9,105	39.5	24.2%	11.9%
Long Lake Township	3,823	5,977	7,648	8,662	11,066	13,375	41.4	25.1%	11.0%
Mayfield Township	806	967	1,271	1,550	2,169	2,852	37.7	27.1%	11.4%
Paradise Township	2,117	2,508	4,191	4,713	4,868	6,619	35.5	28.9%	9.2%
Peninsula Township	3,833	4,340	5,265	5,433	6,416	7,126	53.4	18.8%	25.9%
Union Township	185	255	417	405	498	553	45.9	23.5%	11.9%
Whitewater Township	1,409	1,825	2,467	2,597	3,224	3,718	46.1	21.8%	14.6%
Fife Lake Village	402	394	466	443	488	502	41.1	22.8%	15.6%
Kingsley Village	664	738	1,469	1,480	1,924	2,255	32.6	31.4%	9.5%
Traverse City	15,516	15,116	14,532	14,674	15,519	16,050	40.8	18.2%	16.7%
Grand Traverse County	54,899	64,273	77,655	86,986	106,600	125,244	41.3	22.1%	15.0%

Source: Counts for 1980, 1990, 2000 and 2010 by U.S. Census Bureau; Projections for 2020 and 2030 by Grand Traverse County Planning & Development Department

Below are links pertaining to Private Road Ordinances from the above highlighted Townships:

Fife Lake:

<https://www.fifelaketwp.com/wp-content/uploads/2021/05/4-12-2019-Fife-Lake-Township-Zoning-Ordinance-min1.pdf>

4.46 Pages 76-80.

Mayfield:

<http://mayfieldtp.com/clientdata/pages/files/MAY%20ZO%20ART%204%202021%20July.pdf>

4.16 page 16 - 20

Grant:

<https://grant-grdtraverse.com/wp-content/uploads/2022/07/GTZO-April-2022-Amend.pdf>

Definition: Private Road: Any road or thoroughfare for vehicular traffic which is privately owned and maintained, and which provides principal means of access to abutting properties. Definition added by Amendment #93-4, Adopted March 21, 1994.

13. - Pages 13 printed/page 16 in PDF – page 16 printed/page 19 in PDF

Paradise:

https://webgen1files1.revize.com/paradisetwpmi/Document%20Center/Zoning%20Ordinance%20and%20Maps/Paradise%20Township%20Zoning_Ordinance%20amended%202019%20for%20Website.pdf

Section 11.16 Private Roads

1. Minimum Right-Of-Way Width. Sixty-six (66) feet.
2. Minimum Pavement Width. Twenty-two (22) feet. With a minimum base asphalt mix of 110#/s.y. of CATM surfacing over 165#/s.y. of CALC leveling course and cleared to a height of fourteen (14) feet.
3. The private road shall have a suitable sand/gravel sub-base not less than 12 inches of Class II sand/gravel and a minimum of 6 inch M.D.O.T. 22A or a GTCO 22A modified gravel specification.
4. Storm Water Drainage. Private roads shall be designed to control storm water drainage utilizing collection and storage systems or seepage systems in according with Michigan Best Management Practices. An engineer licensed in the State of Michigan shall prepare the drainage plan. The plan shall be approved by the Grand Traverse County Soil Erosion and Sedimentation Control Officer and the County Drain Commissioner. 82
5. The private road shall be designed by a license professional engineer. A third party inspection/certification shall be performed by a licensed professional engineer indicating all work meets the minimum standards of this ordinance, the Grand Traverse County Private Road Standards dated April 16, 2007, and Paradise Township Fire Ordinance # 2006-1. In the event that there is conflict between the Ordinances, the most restrictive standards shall apply
6. Access to County Roads. The Grand Traverse County Road Commission shall approve all accesses to County roads. Any Road(s) that contain cul-de-sacs, dead ends, hammerheads or any other means of turnarounds shall comply with the International Fire Code Standards as amended.
7. Performance Guarantees. As a condition of approval, the Township may require surety by the developer to make the road improvements shown on the site plan and to insure completion of filing requirements.
8. Maintenance Agreement. A maintenance agreement shall be recorded with the Grand Traverse County Registered of Deeds and a copy of this agreement shall be submitted to the Paradise Township for their files.
9. For the purposes of this Ordinance, a private road is defined as “an area of road used for ingress and egress to serve eight (8) or more residences.”
10. Road Name shall be submitted to Paradise Township Board for approval after first obtaining approval from the Grand Traverse County Equalization/ G.I.S. Dept.

Out of all of these, I found the simplicity of Paradise Township best as it gets the job done without a ton of additional rules and requirements. I also like the references to other departments requirements.



CLASSIC EQUINE, LLC

Kirk W. Johnson, DVM
616-292-1168



8925 2 Mile Rd. NE
Ada, MI 49301

7 March 2023

Attention Robert Hall

RE: Whitewater Township Special use Zoning Permit for Classic Equine

It has been brought to my attention that our current special zoning permit for the construction of our Equine Veterinary Facility is set to expire at the beginning of May. We are requesting a one year extension on this permit. We have every intention of building this facility as detailed in the previously provided information. We had hoped this facility would have already been completed at this time, but we have had significant difficulty finding an available builder/contractor with available subcontractors to complete this building. To my knowledge, there are no additional factors that should delay the initiation and completion of this project once we have a qualified builder under contract. It appears we will have a builder confirmed in the next one to two months with the project estimated to begin in early to mid summer 2023. Please consider this request for an extension on this zoning permit.

Kirk Johnson, DVM

Whitewater Township - Process for ZO Amendment

Worksheet – Mangus 2022

Draft

Identify and prioritize needed amendment. Identify items that require revision. Items may be proposed by any member of the PC, ZA, ZBA, Planning Consultant, or Township Board. Amendment proposed by: _____ Date: _____
Draft shall be prepared for PC review by PC Chair, ZA, township attorney, or Planning Consultant.

PC Review

PC review of draft. Revision to the draft may be made by consensus or with a voice vote at the discretion of the chair. Input from ZA, consultants, and the general public should be provide and considered throughout the process.

Dates of review: _____ - _____ - _____ - _____

Completed Draft

Revised document shall be reviewed by the PC. Date: _____

When initial draft shall be sent to the township attorney for initial review and formatting.

Date sent: _____ Return date requested: _____ Date Returned: _____

Note: This is not a legal requirement but rather the preference of the WWTS Board.

Final PC Review

PC shall review input from legal counsel and make determinations necessary to complete final draft of amendment. PC shall determine if second legal review is warranted based upon changes made to the document. Amendment shall be returned to attorney or scheduled for PH. Amendment text and related documents shall be prepared in a Word format for distribution and Public Hearing.

Adoption Process and checklist

Date	Completed by	Completed Task
Public Hearing Preparation		
		Within one week of PC meeting, the chair shall send notice to township supervisor, clerk, and ZA that Public Hearing has been scheduled.
		ZA or his designee shall prepare Public Hearing notice for publication in the “paper of general circulation”, The Record Eagle.
		Clerk shall arrange for notice to be published no later than 15 days prior to the Public Hearing (MCL 125.3203) with preference given to weekend dates when possible.

NA	NA	Notice shall be mailed to each utility requesting amendment notification. (MCL 125.3306) (There are none on file, as of June 2022)
		PC Chair or ZA shall present to the township clerk a Word copy of the proposed ZO amendment no later than 17 days prior to the Public Hearing date.
		Amendment documents shall be published on the Township Website by the Clerk or designee by the date notice is published.
PC Review		
		Public Hearing shall be held as part of a regular or special meeting held in compliance with the OMA. Discussion shall be held as part of Old Business as part of the same meeting or the next.
		Date of Public Hearing: _____ PC recommendation: _____ Vote: _____ Date of vote: _____
		Following the hearing, the PC shall submit a summary of comments received at public hearing and proposed zoning text to the Township Board. (MCL 125.3308) PC shall either forward to the TB with recommendation to adopt or reject the proposed amendment or they shall immediately begin revisions based on public input and PC deliberations.
NA	NA	Following hearing PC must inform County zoning unless waved. (MCL 125.3307) Grand Traverse County has waved this provision unless an entirely new ordinance is proposed.
Township Board Review		
		Prior to Township Board deliberation, any member of the public can request by certified mail in writing that the board hold an additional Public Hearing. (MCL 125.3401) A second Public Hearing may also be held at the board's discretion. Township Board Public Hearing shall be noticed in accordance with MCL 125.3103 (3-4).
		Township Board shall consider proposed ZO amendment at their next opportunity. They may either approve, approve with minor adjustment, reject amendment, or request that PC reevaluate proposal. Majority vote is required to adopt. (MCL 125.3401) Date of Township deliberation: _____ Results of deliberation: _____
		Approved Amendments shall be published in the Record Eagle and on the Township Website within 15 days of adoption. (MCL 125.3401(7))

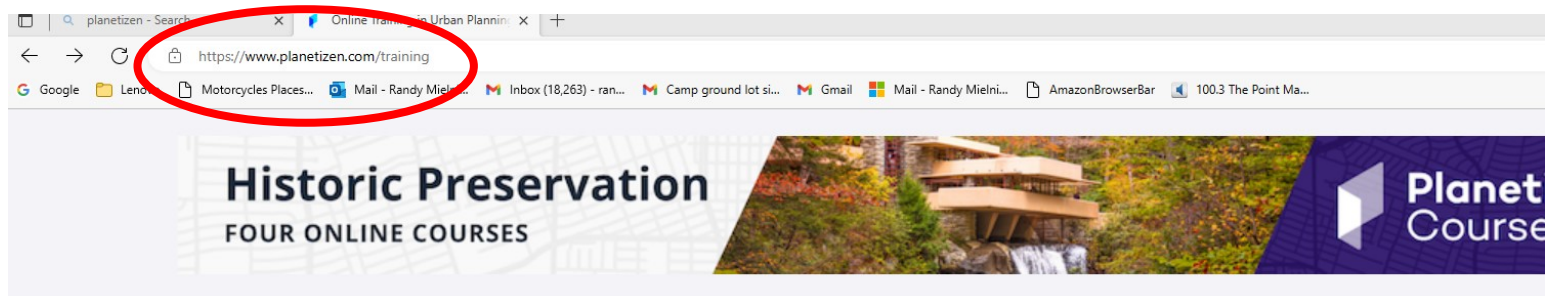
		Notice of new ordinance must include the ordinance in its entirety or a legally proper summary. (MCLs 41.184 and 125.3401 (9)) A summary of the amendments regulatory effect and geographic area may also be acceptable (MCL 125.3401 (9)(a-b))
		Adopted zoning ordinance or amendments take effect eight days after publication, unless notice of intent to file a petition of referendum is filed. (MCL 125.3402)
		Adopted zoning ordinance or amendment must be recorded by township clerk in township ordinance book within one week after publication (MCL 41.185) Clerk or designee shall also update the township website copy of the ordinance within one week. Updated copies shall be provided to all Commissioners at the next PC meeting.

Right to Referendum

Any member of the public can file a notice of referendum prior to the effective date of an Ordinance Amendment. This notice informs the township of the filer's intent to prepare a suitable petition and gather signatures to have the question presented to the voters regarding the proposed amendment. Any amendment shall be suspended until referendum is dropped, disqualified, or a vote of the electorate takes place.

Notes:

- Document prepared in consultation with "The Township Guide to Planning and Zoning", Published by the Michigan Township Association, Revised - January 2012.
- Every attempt was made to include all statutory requirements however many of the steps above represent Whitewater Township policies that go above and beyond the requirements of law.
- Worksheet created by Mangus, 6.11.22



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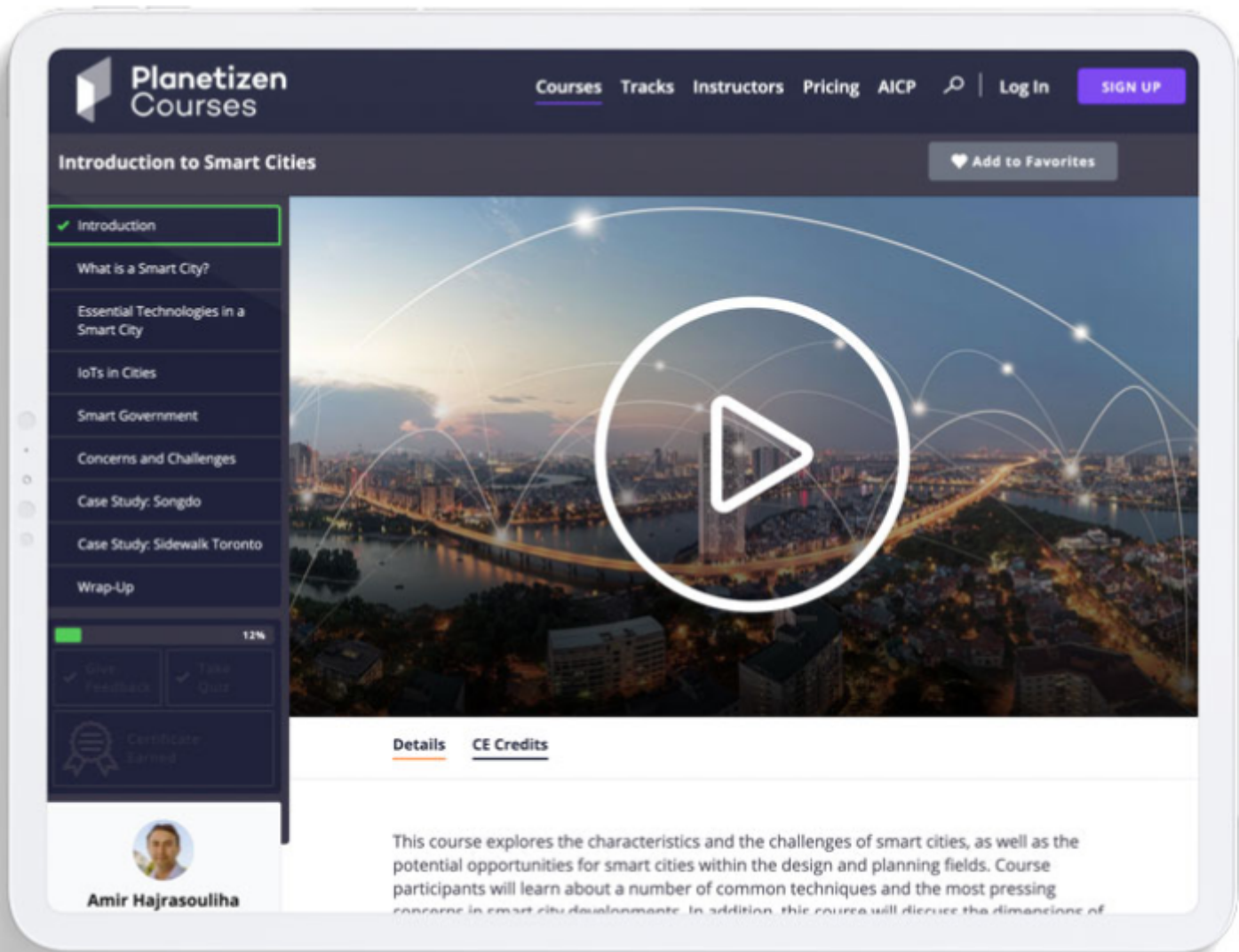
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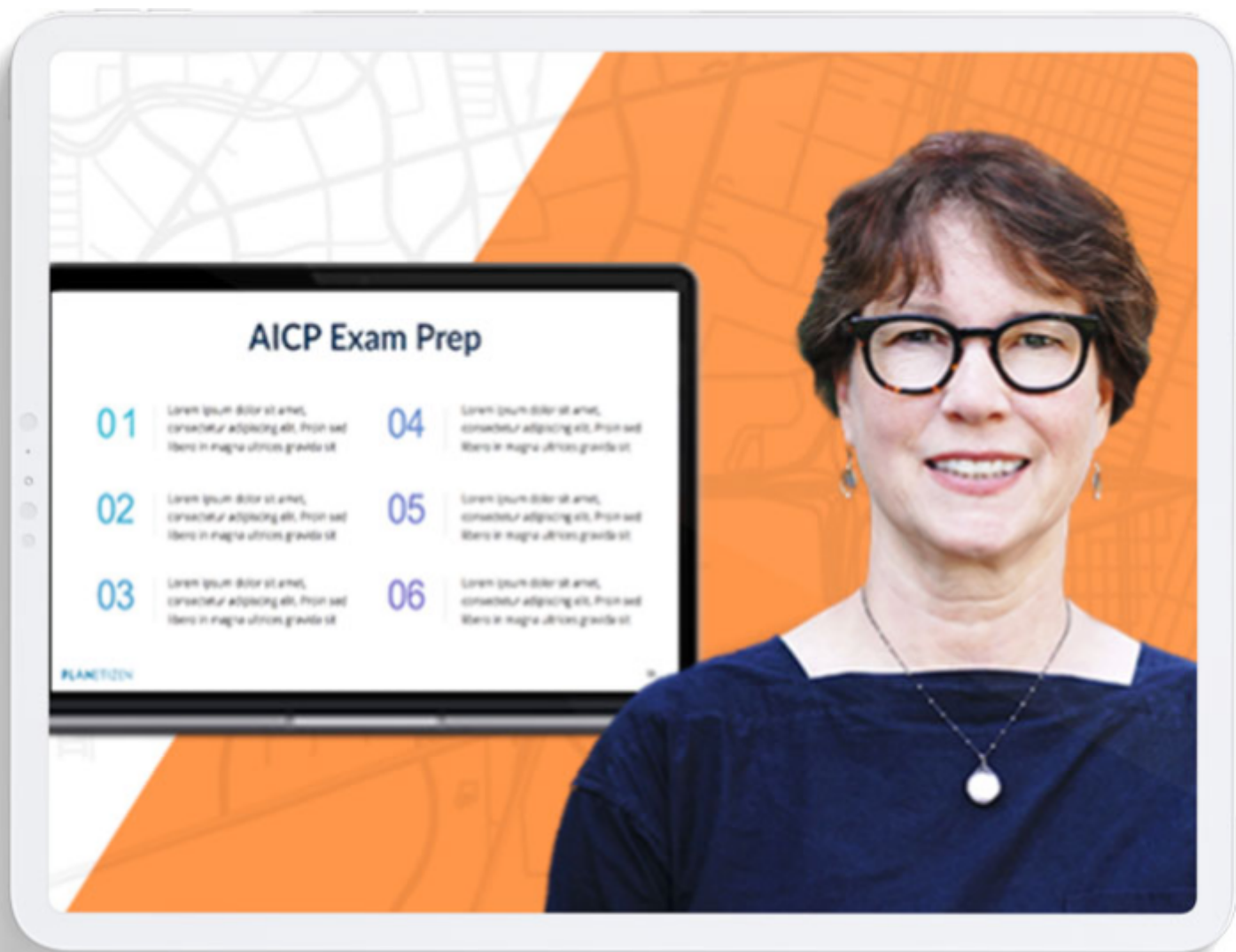
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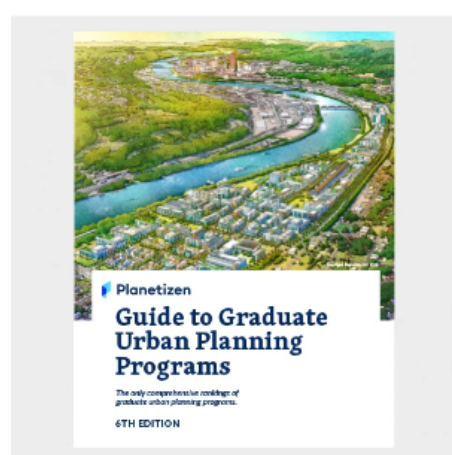
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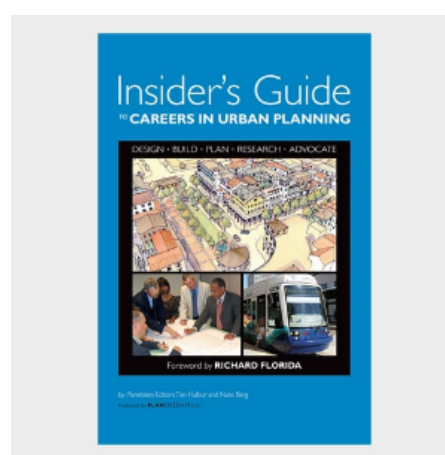
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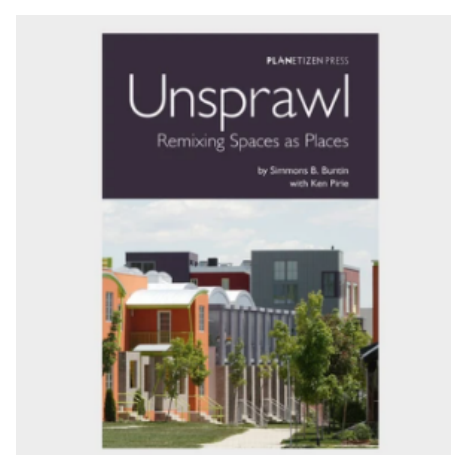
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Whitewater Township Planning Commission Bylaws

Adoption Date: March 1, 2023

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. Commerce
 - 10. Waterfront Owner
 - 11. Building Trades
 - 12. Resident at Large

- 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. The Township Board representative shall also inform the PC of Township Board activities, actions, and goals.
- 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. 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
 2. Appoint committees
 3. Agenda creation and submission
 4. Inform Clerk of any necessary meeting date and/or time changes within 48 hours of known change
 5. 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:
1. 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
 4. Take notes
 5. 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 7:00 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.
 - 2. 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.
- I. Parliamentary Procedure** – Parliamentary procedure in PC 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.
- 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, approve and submit an annual budget to the Supervisor, on or before the first Township Board meeting in January of each year.
- 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, 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, property that is required to receive a notice of a public hearing as required by the Whitewater Township Zoning Ordinance on an application under consideration by the PC. A financial interest is herein defined as an ownership stake in an equity security or debt security issued by an entity, including the rights and obligations to acquire such an interest.
- 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. Mic Check, Call to Order/Pledge of Allegiance
2. Roll Call of PC Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest pertinent to agenda items
5. Public Comment – Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the PC, with questions directed to the Chair.
 - b. Any person wishing to address the PC shall speak from the lectern (or use raise hand feature if Zoom is being utilized) and state his/her name and address.
 - c. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC 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
10. 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 any 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 properly 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 is 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.