

WHITEWATER TOWNSHIP PLANNING COMMISSION and WHITEWATER TOWNSHIP BOARD
AGENDA FOR SPECIAL JOINT MEETING,
05/17/2023, 6:00pm
Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

**** A zoom link has been provided and will be available if there is a facilitator available at the meeting****

Join Zoom Meeting <https://us06web.zoom.us/j/89381728900?pwd=bys3QmlhQkljZlR0cUR0WFJ3WkdCZz09>
Meeting ID: 893 8172 8900 Passcode: 787420 One tap mobile +13092053325,,89381728900#,,,,*787420#
Dial by your location +1 309 205 3325

1. Mic Check / Call to Order PC and TB / Pledge of Allegiance
2. Roll Call of Members PC and TB
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the commission on matters that are relevant to township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.
6. Special Meeting Business:
 - a. Discuss Municode Contract
 - b. Expansion of North Place Planning (Mielnik) Contract / Put Contract Under PC's Leadership
 - c. Budget Discussion
 - c. Any Related Topic the Planning Commission Wishes to Discuss
7. Next Meeting Date
8. Public Comment
9. Commission Discussion/Comments
10. Adjournment PC and TB

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the Township Supervisor at 231-267-5141 x23.



Planning for a Better Future

Joint Meeting

Township Board

Township Planning Commission

Prepared by

**Whitewater Township Planning
Commission**

May 17, 2023

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TAB 6	<u>Master Plan Update</u>

Comprehensive Update and Reorganization of the Zoning Ordinance.

- While the Planning Commission is working hard on the Master Plan update, it is recognized that The Whitewater Township Zoning Ordinance, first adopted in 1972, has not undergone a comprehensive update to keep pace with the growth in the township or regulatory best practices. The Zoning Ordinance now exists as a series of independent Articles in various formats.
- The Planning Commission believes that we can take the following steps to achieve the outcome we all desire. Please see Attachment A for suggested motions.

STEP 1. The Township Board to leave as is, amend, or cancel the Zoning Ordinance portion of the Municode contract. If cancelling, Municode requires a 60-day notice per the contract.

STEP 2. Amend contract between North Place Planning LLC and Whitewater Township dated September 29, 2022, and place it under the management of The Planning Commission. Management means verifying work has been completed per Planning Commissions work request/s. See Attachment B for The Planning Commissions vision of an Amendment to that Agreement.

STEP 3. The Planning Commission to work with North Place Planning, LLC to rewrite, organize, update and prepare for public comment.

STEP 4. Within 8 to 12 months bring the completed *content neutral* Zoning Ordinance for Township Board Approval.

Content neutral = avoiding deviation from existing content and requirements.

Ongoing Maintenance of the Zoning Ordinance

Maintenance of Zoning Ordinance will be conducted by The Planning Commission. Any of those changes or modifications brought to and approved by the Township Board will be overseen by the Planning Commission via a chain of custody work flow.

- The Planning Commission will continue to update to keep up with the township growth and regulatory best practices.
- Updates will be brought to the Township Board for direction and approvals.
- Approved updates will be entered via the Planning Commission chain of custody work flow.
- Zoning Ordinance with new updates will be placed on the Township website.

ATTACHMENT A

- An appropriate Motion would be: To approve expenditures up to \$9,000.00 to use in updating the Whitewater Township Zoning Ordinance by amending contract between North Place Planning, LLC and Whitewater Township dated 09/29/2022.
- An appropriate Motion would be: To amend contract between North Place Planning, LLC and Whitewater Township dated 09/29/2022 to edit 2.3. Terms – Related Services to read as follows:

2.3. Terms – Related Services

- [1] In addition to work related to the Master Plan, North Place Planning may assist with updating the Whitewater Township Zoning Ordinance. This work includes but is not limited to, work on specific amendments as may be required, along with more comprehensive work on the entire zoning ordinance, such as reformatting, editing, clarifying language and requirements in tabular form where desirable, and adding “hyperlinks” to facilitate easier document navigation. The Whitewater Township Clerk will be relied upon to provide lawfully adopted copies of the original zoning ordinance and subsequent adopted amendments. This work will be carried out under the direction of the Whitewater Township Planning Commission concerning schedules, cost, deliverables, and processes and shall be accomplished within the budget limitations approved by the Whitewater Township Board of Trustees. North Place Planning will be available to attend meetings with committees, the Planning Commission, and the Township Board meetings as necessary to share work products and facilitate discussions. Invoices will itemize charges and associate them to pre-approved work items. To ensure coordinated efforts, access to the Township Attorney can be granted to North Place Planning, LLC.

ATTACHMENT B

Amendment to Agreement

The agreement between North Place Planning, LLC and Whitewater Township dated 09/29/2022 is hereby amended such that Section 2.3. of the accompanying proposal is hereby revised as follows:

2.3. Terms – Related Services

[1] In addition to work related to the Master Plan, North Place Planning may assist with updating the Whitewater Township Zoning Ordinance. This work includes but is not limited to, work on specific amendments as may be required, along with more comprehensive work on the entire zoning ordinance, such as reformatting, editing, clarifying language and requirements in tabular form where desirable, and adding “hyperlinks” to facilitate easier document navigation. The Whitewater Township Clerk will be relied upon to provide lawfully adopted copies of the original zoning ordinance and subsequent adopted amendments. This work will be carried out under the direction of the Whitewater Township Planning Commission concerning schedules, cost, deliverables, and processes and shall be accomplished within the budget limitations approved by the Whitewater Township Board of Trustees. North Place Planning will be available to attend meetings with committees, the Planning Commission, and the Township Board meetings as necessary to share work products and facilitate discussions. Invoices will itemize charges and associate them to pre-approved work items. To ensure coordinated efforts, access to the Township Attorney can be granted to North Place Planning, LLC through The Planning Board Chair.

North Place Planning, LLC

Whitewater Township



TAB 1

Vision



The Planning Commissions Vision

TODAY

The Whitewater Township Planning Commission believes that the existing zoning ordinance needs substantial attention. Since first adopted in 1972, it has not undergone a comprehensive update to keep pace with land development trends or regulatory best practices. While it has been amended many times over the years to address specific issues, significant overarching shortcomings are evident. These include:

1. The zoning ordinance seems to now exist as a series of independent chapters in various formats. A zoning ordinance should be one highly interrelated uniform document. Definitions should be used consistently throughout the ordinance and material should be properly cross-referenced throughout. However, since we do not have a single document in a format such as MS Word, we cannot easily search for proper use of definitions and necessary cross-references. This increases the potential for problems.
2. There are duplications in terms of requirements. When requirements are redundant, there is a greater risk of inadvertent conflicts. For example, and at a basic level, minimum lot sizes in some zoning districts exist in more than one place.
3. There are areas where procedural actions could be improved to ensure clarity and reduce ambiguity.
4. Graphics are included in some parts of the Zoning Ordinance. However, one is backward (33-1) and impossible to use. More graphics would be helpful throughout the ordinance to help convey complex terminology.
5. Because much of the Whitewater Township Zoning Ordinance was written prior to the Michigan Zoning Enabling Act of 2006, a review should be conducted to double check required consistency.
6. The zoning districts in the Whitewater Township Zoning Ordinance are defined by legal descriptions. This method of defining zoning districts boundaries is rarely used today and obviously problematic to anyone who wishes to simply determine how land is zoned. A zoning map was prepared and exists (and on the Website), but there is no evidence it is part of the zoning ordinance. It also lacks a basic scale to measure distance.

7. Tools such as hyperlinks can be added to the zoning ordinance to allow quick and easy navigation within the ordinance. Creating these links helps to make the ordinance easier to follow and helps ensure cross-references are accurate.
8. Sections of the Ordinance may need to be moved to provide for a more logical sequence of zoning material.
9. Definitions should be reviewed, updated and improved. Good zoning practice avoids definitions with development standards contained therein. For example, the existing definition of a residential fence includes requirements for height, placement, materials, etc. It is unlikely that someone would find the requirements for residential fence in the definitions. Issues like these create a greater potential for errors.

See attachment A for summary of these points in a graphical format.

GOING FORWARD

The Planning Commission holds the following views regarding future work on the Zoning Ordinance

1. No more amendments should be worked on (apart from Article 28) until shortcomings with the existing ordinance are addressed. We simply believe we lack a good foundation to build on and go forward with.
2. The work necessary to create the needed foundation should be approached in the following way:
 - a. Identify all adopted zoning language in whatever form it is in and convert/retype into a single MS Word Document.
 - b. Review and edit zoning language in a manner that avoids any substantive changes. Small issues should be clearly identified and corrected. We can use colored text so that these small changes are evident. More substantial issues should be identified, added to a running list, and then left to address later. This will help avoid getting bogged down in larger issues and delay completion of the whole project. The detailed task and process of reviewing the existing ordinance as described above will likely reveal many larger issues that need to be addressed later.
 - c. The Planning Commission is ready to work with our Planner on this project. He would lead this project and we would naturally include our zoning administrator and township attorney in the process.
 - d. Of course, we are looking at a substantial amount of work and there will be associated costs. Our Planner has indicated that need for between \$7,000 and \$9,000 in funding to support this work. A funding range is necessary as there are several unknowns with respect to available documents. An updated zoning ordinance can be expected in about 6 to 8 months (depending on meeting availability).
 - e. The updated Zoning Ordinance will be the subject of at least one public hearing before being forwarded to the Township Board for action.
- f. Once adopted, Whitewater Township can then systematically more through more substantial changes, giving each needed attention and deliberation.

TAB 1 - Attachment A

SUMMARY

Lot Standards	
Min. Lot Area (sq. ft.)	20,000 sq. ft.
Min. Lot Width (ft.)	100 feet
Max. Lot Coverage (%)	25 percent
Building Height (ft.)	35 feet
Building Height (stories)	2.5 stories
Building Width of a Principal Structure	24 feet

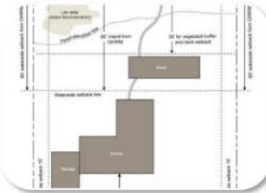
Condense requirements into tables



Clarify procedures and process



Address conflicting sections



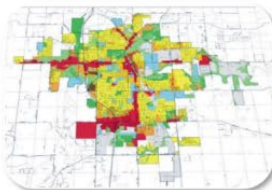
Develop graphics to illustrate complex land development ideas



Current material on the twp. web includes "draft" pages and it is not clear if all amendments are included



Ensure conformance with state law.



Fix the Zoning Map



Use new computer tools to navigate the document more easily



Reorganize material for more logical sequence of information



Update, Correct & Add Definitions

Text vs. Tables

Present

Minimum Parcel Size Shall be 45,000 square feet with a minimum width of 150 feet. (80 10' by 20' units = 22,000 square feet with a 35% lot coverage by structures equals 44,000 square feet.)

Existing C-1 Zone Setbacks Front - 35'; Side 10'; Rear 30'. 35% lot coverage by structures.

The minimum space dimensions per unit are:

- Width - thirty (30) feet
- Depth - sixty (60) feet
- These dimensions shall be increased as necessary to accommodate larger vehicles so that there is no less than eight feet between a tent or trailer and the perimeter of the rental space. This eight foot area (16 feet between recreational units) shall be planted with shrubs and a minimum of two trees per lot line.

Future

Lot Standards	
Min. Lot Area (sq. ft.)	20,000 sq. ft.
Min. Lot Width (ft.)	100 feet
Max. Lot Coverage (%)	25 percent
Max. Building Height (ft.)	35 feet
Max. Building Height (stories)	2.5 stories
Min. Building Width of a Principal Structure	24 feet

TAB 1 - Attachment A

Present

Section 4.2.2 Conflicting Regulations: In the interpretation, application, and enforcement of the provisions of this Ordinance, whenever any provision or limitation imposed or required by the provisions of this Ordinance are more stringent than any other law or ordinance, then the provisions of this Ordinance shall govern, provided that whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such other law or ordinance shall govern.

Future

Once in a single word document, search code language and identify missing or conflicting material (missing references, terminology, etc.)

TAB 1 - Attachment A

Present

REQUEST FOR AMENDMENT

Section 9.1 Request and Meeting: Any person affected by this Ordinance may submit a request in writing to the Secretary of the Township Zoning Board asking that consideration be given to a specific amendment to this Ordinance in the particulars set forth in the request. The Zoning Board shall thereafter hold a meeting to consider said petition and shall notify the petitioner of the time and place of such meeting not less than ten (10) days prior thereto.

Future

Section 13.07 Amendments (currently Article 9)

- (A) **Initiation of Amendments (NEW SECTION).** The Township Board may amend, supplement or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 110, of the Public Acts of 2006, as amended. Text amendments may be proposed by the Township Board, Planning Commission, or any interested person or organization. Changes in zoning district boundaries may be proposed by the Township Board, Planning Commission, any person having a freehold interest in the premises concerned, or by the designated agent of a person having a freehold interest in the property.
- (B) **Application for Amendment (NEW SECTION).** An application for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property shall be commenced by filing an application with the Planning Director on the forms provided by the Township, and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a plot plan or survey which specifies the boundaries and legal description of the site. The Planning Director, Planning Commission, and Township Board may request additional information with the application.
- (C) **Amendment Review Procedures (NEW SECTION).** The amendment, be it a text or a map amendment, and application materials shall be prepared in accordance with the provisions of this Section, and shall be reviewed in accordance with the following procedure. Amendment or application materials that do not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission:
- (1) **Public Hearing.** A public hearing shall be held for all proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended) as summarized in [Section 13.08](#).
 - (2) **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section, and shall report its findings and recommendation to the Township Board.
 - (3) **Township Board Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the Planning Commission, the Township Board may approve or deny the proposed amendment. If determined to be necessary, the Township Board may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the official Zoning Map, the Township Board shall approve or deny the amendment, based upon its consideration of the criteria contained in this Section.
 - (D) **Standards of Review for Amendments (NEW SECTION).** In considering any petition for an amendment to the text of this Ordinance or to the Zoning Map, the Planning Commission and Township Board shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and Township Board may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.
 - (2) Consistency with the basic intent and purpose of this Zoning Ordinance.
 - (3) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
 - (4) The capacity of the Township's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
 - (5) That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.
 - (6) That the amendment will not be expected to result in exclusionary zoning.
 - (7) If a rezoning is requested, compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.
 - (8) If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
 - (9) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
 - (10) If a rezoning is requested, the requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
 - (11) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
 - (12) If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.
 - (E) **Notice of Adoption of Amendments (NEW SECTION).** Following adoption of an amendment by the Township Board, 1 notice of adoption shall be filed with the Township Clerk and 1 notice shall be published in a newspaper of general circulation in the Township within 15 days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006,

TAB 1 - Attachment A

Develop Graphics to Better Illustrate Complex Key Terms & Requirements

Present

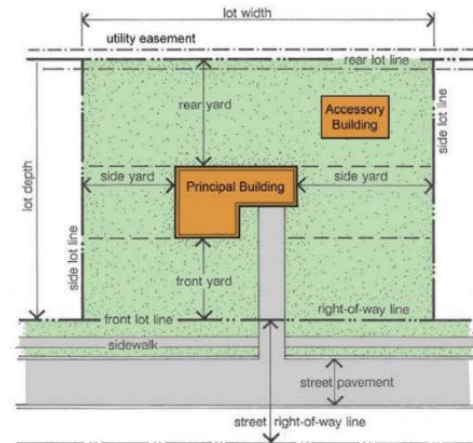
Future

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building line.

Yard, Rear: An open space on the same lot with a main building unoccupied except as herein permitted, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the sidelines of the lot. The depth of the rear yard shall be measured between the rear line of the lot, or the center line of the alley, if there be any alley, and the rear line of the building.

Yard, Side: An open, unoccupied space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a front line shall be deemed a side line.

Figure 2-4. Yard Terms



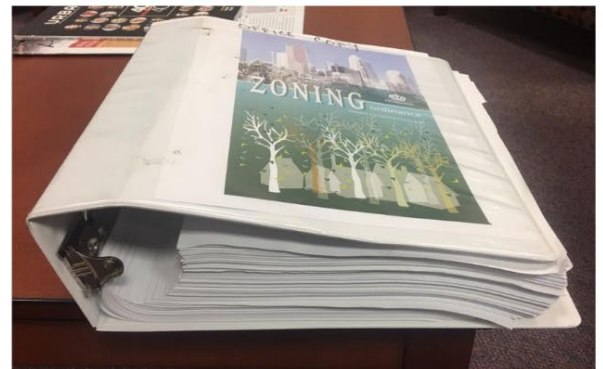
Incorporate Amendments

Present

Future

Amendment List

Single Up-to-Date Ordinance Book



TAB 1 - Attachment A

Review for Conformance with Michigan Planning/Zoning Statutes

MICHIGAN ZONING ENABLING ACT Act 110 of 2006

AN ACT to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

History: 2006, Act 110, Eff. July 1, 2006.

MICHIGAN PLANNING ENABLING ACT Act 33 of 2008

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

TAB 1 - Attachment A

Use Document Navigation Tools



Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1	Development Standard
Accessory Buildings and Structures	P	P	P	P	P	P	Section 7.10
Adult Foster Care, Family Home	P	P	P	P	P	P	Section 6.01(A)
Adult Foster Care, Small Group Home	P	P	P	P	P	P	Section 6.01(B)
Agricultural Labor Camp, Less than 5 migrant workers	P						
Agricultural Labor Camp, Licensed	P						Section 3.14
Airports and Airfields	SU						Section 6.02
Barn Storage	P						Section 6.03
Bed and Breakfasts	SU	SU	SU	SU	SU		
Cemeteries	P						
Child Care, Family Home	P	P	P	P	P		Section 6.06
Child Care, Group Home	P	P	P	P	P		Section 6.06
Child Care Centers	P	P	P	P	P		Section 6.07
Dwelling, Multiple-Family	SU	SU	SU	SU	SU		Section 6.08
Dwelling, Secondary	P	P	P	P	P		
Dwelling, Single-Family	P	P	P	P	P		Section 7.01
Essential Services	P	P	P	P	P		
Farm Supply and Implement Dealers	P	P	P	P	P	SU	Section 7.11
Fences	SU						Section 6.10
Food Processing Plant	SU						
Game or Hunting Preserves Operated for Profit	SU						
Gas Stations	P	P	P	P	P		Section 6.11
General Farming and Horticultural Uses Permitted by Right	P	P	P	P	P		Section 6.12
Greenhouses and Nurseries (Retail Sales)	SU						Section 6.13
Home Occupations	P	P	P	P	P		Section 6.14
Hotels and Motels	P					SU	Section 6.15
Indoor Recreation	SU						Section 6.16
Institutional Structures and Uses	SU	SU	SU	SU	SU		Section 6.17
Junk Yards	SU						Section 6.18
Keeping of Domestic Pets	P	P	P	P	P		Section 6.19
Kennels	SU						Section 6.20
Marinas	P					SU	Section 6.21
Mining or Removal of Top Soil	P					SU	Section 6.22
Mobile Homes (not in a Mobile Home Park)	P	SU	SU	SU	SU		Section 6.23
Mobile Home Park Developments						SU	Article 9
Off-Street Parking Lots	P	P	P	P	P		Section 6.24
Pet Sitter	SU	SU	SU	SU	SU		Section 3.01
Planned Unit Development	P	P	P	P	P		
Professional Offices	P	P	P	P	P	SU	Section 6.24
Public Areas (Parks, Recreation, and Conservation Areas)	P	P	P	P	P		
Raising and Keeping of Small Animals	P						
Raising, Keeping, and Boarding of Livestock	SU						
Raising of Fur Bearing Animals for Profit	SU						Section 6.25
Recreational Unit Park	SU						
Recreational Unit Sales	SU					SU	Section 7.02
Recreational Vehicle Storage	P	P	P	P	P		Section 6.26
Rental of Non-Owner Occupied Dwelling (30 days or more)	P	P	P	P	P		

(A) Intent and Purpose (currently Section 6.5.1)
This section establishes the R-1D Community Residential District to encourage moderately high density development where community services such as fire protection, schools, commercial development, community parks and services are available.

(B) Uses Permitted by Right	(C) Uses Permitted by Special Use Permit
<ul style="list-style-type: none"> Accessory Buildings and Structures (Section 7.10) Adult Foster Care, Family Home (Section 6.01(A)) Adult Foster Care, Small Group Home (Section 6.01(B)) Child Care, Family Home Child Care, Group Home (Section 6.06) Dwelling, Secondary (Section 6.08) Dwelling, Single-Family Essential Services (Section 7.01) Fences (Section 7.11) General Farming and Horticultural Uses Permitted by Right (Section 6.12) Home Occupations (Section 6.14) Keeping of Domestic Pets (Section 6.19) Pet Sitter Public Areas (Parks, Recreation, and Conservation Areas) (Section 6.24) Recreational Vehicle Storage (Section 7.02) Rental of Non-Owner Occupied Dwelling (30 days or more) (Section 6.26) Shoreline Uses (Section 3.13) Site Condominium (Section 3.02) Solar Energy Systems, Ground-Mounted (10kW or less) (Section 6.30) Solar Energy Systems, Roof-Mounted (Section 6.30) Storage Outdoor (Section 7.05) Subdivision (See Subdivision Control Ordinance) Swimming Pools (Section 7.12) Temporary Buildings (Section 7.03) Walls, including Retaining Walls (Section 7.11) 	<ul style="list-style-type: none"> Bed and Breakfasts (Section 6.02) Dwelling, Multiple-Family (Section 6.07) Institutional Structures and Uses (Section 6.17) Mobile Homes (Not in a Mobile Home Park) (Section 6.23) Mobile Home Park Developments (Section 6.23) Planned Unit Developments (Section 3.01) Sewage Treatment and Disposal Installations (Section 6.29) Wind Energy Conversion Systems (WECS) (Section 6.33)

The above list is a summary of uses permitted by right or special land use approval in the district, subject to Section 3.06.

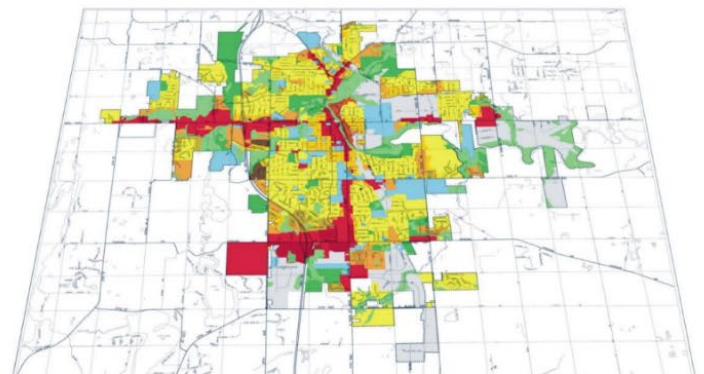
(D) Dimension Regulations (currently Section 6.5.4 and Section 6.8)			
Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	15,000 sq. ft.	Front Yard	25 feet
Min. Lot Width (ft.)	100 feet	Side Yard	15 feet
Max. Lot Coverage (%)	30 percent	Rear Yard	30 feet
Max. Building Height (ft.)	35 feet	Ordinary High Water Mark	60 feet
Max. Building Height (stories)	2.5 stories		(See Section 3.13)
Min. Building Width of a Principal Structure	24 feet		

Dimension Regulations are subject to Article 4 "Schedule of Regulations" limiting the height and size of buildings, the minimum size of lots permitted, the minimum yard setbacks required, and the maximum lot coverage permitted.

Update / Create the Zoning Map

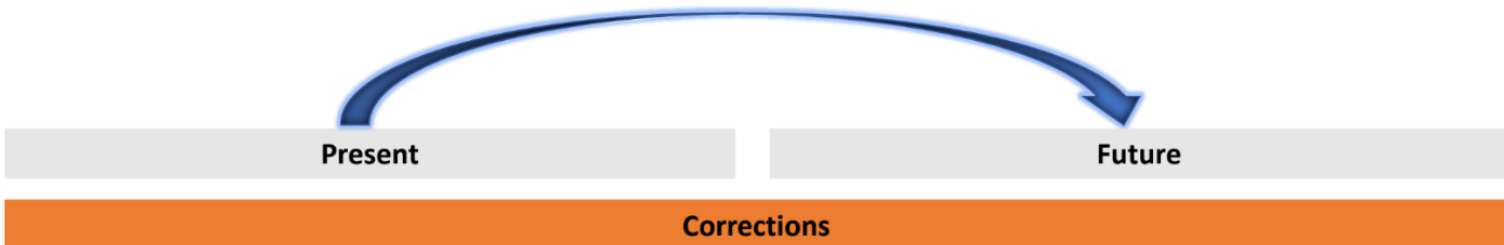


5.11 RESIDENTIAL DISTRICT R-2. This district shall comprise that portion of the Township described as follows: 1. The Southeast quarter of the Northwest quarter of Section 4, Town 27 North, Range 9 West, except that portion described in the Residential RI District. 2. The East half of the Southwest quarter of Section 4, Town 27 North, Range 9 West, except that portion described in Residential District R-1. 3. The East half of Section 4, Town 27 North, Range 9 West, except that portion described in the Residential RI District, and except that portion lying northerly of a line which is 575 feet southerly of and parallel to the centerline of State Highway M-72.



TAB 1 - Attachment A

Update, Correct & Add Definitions

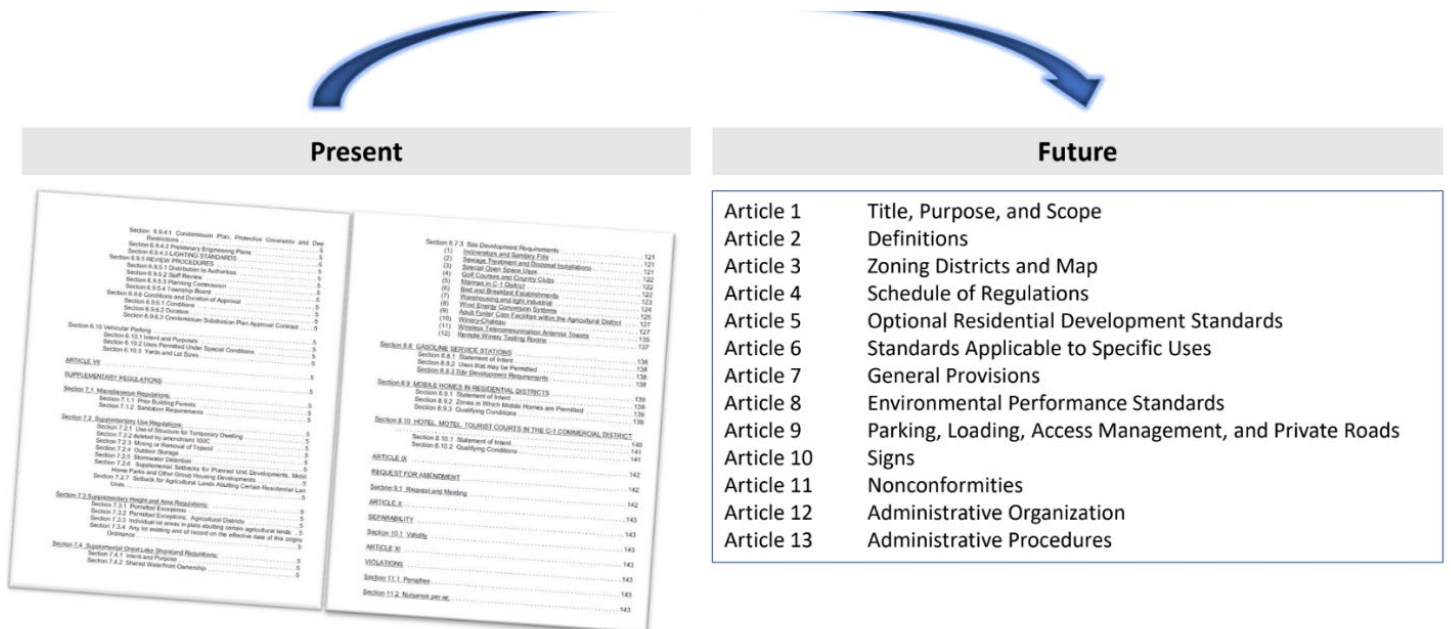


FENCE, RESIDENTIAL STANDARDS:

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

Fence: An enclosure or barrier, such as wooden posts, wire, iron, etc., used as a boundary, means of protection, privacy screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

Development standards/requirements do not belong in definitions.





TAB 2

North Place
Planning LLC

Contract



Independent Contractor Agreement

This is an Agreement, by and between North Place Planning LLC, 9304 Wheeler Oaks Drive, Williamsburg, MI 49690 (hereinafter referred to as "North Place Planning") and Whitewater Township, c/o Ron Popp, Supervisor, 5777 Vinton Rd., P.O. Box 159 Williamsburg, MI 49690 (hereinafter referred to as "Township").

RECITALS

1. Township desires to utilize the planning services of North Place Planning and North Place Planning agrees to provide such services on the terms and conditions set forth herein, and as provided in the referenced Proposal dated August 29, 2022, incorporated herein.

TERMS

2. Engagement. Township engages North Place Planning to perform the professional Master Plan Update and Related Planning Services as referenced in the Proposal Dated August 29, 2022, (hereinafter referred to as the "Services"). All Services, unless otherwise specified in writing and agreed to by both parties shall be performed in accordance to the terms and conditions of this Agreement.
3. Terms of Payment. Township shall pay North Place Planning for services rendered according to provision 2 of the referenced Proposal dated August 29, 2022.
4. Township's Authorized Agent. The Township Supervisor is the authorized agent of the Township for purposes of this Agreement. As such, the agent is duly authorized and shall be responsible for the execution of any document pertaining to this Agreement or any amendment hereof. Related Planning Services work requests shall require a purchase order issued in accordance with Section 4.8 of the Whitewater Township Policy and Procedure Manual, except as authorized by the Board. The Township Board shall approve all changes to this Agreement.
5. Terms and Conditions. The terms and conditions of this Agreement shall include the provisions printed on the reverse side hereof and are hereby incorporated into this Agreement by reference.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date indicated below.


North Place Planning LLC


Randy A. Mielnik, AICP

9.29.2022

(date)

Whitewater Township


Ron Popp, Township Supervisor

9.29.2022

(date)

Additional Terms and Conditions

1. This Agreement must be signed by North Place Planning within 30 days of the Agreement being signed by the Township.

2. The proposal dated August 29, 2022, Independent Contractor Agreement and Additional Terms and Conditions constitute the full agreement between Whitewater Township and North Place Planning hereinafter collectively known as the ("Agreement"). To the extent the August 29, 2022 proposal conflicts with any terms and conditions set forth within the Agreement, the Agreement controls.

3. The Township hereby authorizes the above-described services and agrees to pay North Place Planning \$75.00 per hour plus reimbursable expenses as outlined in the proposal dated August 29, 2022. North Place Planning shall invoice on a monthly basis for hours worked and professional services rendered. Payment is due within 45 days of the date of invoice. A service charge of 1.0% per month will be added to past due accounts calculated from due date of invoice.

4. North Place Planning shall, upon request of the Township, provide additional assistance with ordinance review, language development, and other ad-hoc projects as authorized and directed by the Township, provided however, that North Place Planning is not contractually obligated to provide more than 40 hours of service in any one month.

5. North Place Planning agrees to perform planning services in accordance with AICP Code of Ethics & Professional Responsibilities referenced in the proposal dated August 29, 2022.

6. North Place Planning agrees to perform planning services in accordance with the Michigan Planning Enabling Act of 2008 and assist the Township in meeting the statutory requirements. Those projects performed by North Place Planning shall further comply with the Michigan Zoning and Enabling Act of 2006 when applicable.

7. North Place Planning is an independent

contractor for the Township.

8. North Place Planning will use reasonable efforts to maintain the confidentiality of work undertaken for the Township and not divulge information to the public, except as required by the collaboration and visioning provisions of the proposal dated August 29, 2022, or as required by law. Information that is in the public domain shall not be deemed confidential.

9. The Township and North Place Planning recognize that professional standards and ethics govern the performance of North Place Plannings' services under this Agreement. If circumstances arise which, in North Place Plannings' opinion, preclude it for professional or ethical reasons from continuing such performance, North Place Planning shall advise the Township of that fact immediately. The parties shall immediately attempt to arrive at a mutually satisfactory solution. If this cannot be done to both parties' satisfaction, either party may terminate this Agreement at any time without additional process. Payment for work completed but not finished due to termination shall be subject to terms listed in provision 2.

10. The Township bears full responsibility for any fines, penalties or administrative actions that may be incurred due to non-compliance with Federal or State requirements that may be the result of any delays or actions by the Township or any suspension or termination of performance between the Township and North Place Planning as defined within these terms and conditions.

11. North Place Planning may not assign its rights or delegate its responsibilities under this contract without the express written consent of the Township.

12. This Agreement is not intended to confer rights on anyone other than the Parties.

13. If any portion of this Agreement shall be declared unenforceable by any court of competent jurisdiction, the remainder of this Agreement and Additional Terms and Conditions shall remain in full force and be unaffected by the portion which may be declared to be unenforceable.

Initials/Date: MM 9-29-2022

Initials/Date: mp 9.29.2022



TAB 3

Municode





CODIFICATION, SUPPLEMENTATION AND ONLINE CODE HOSTING SERVICES

Quote for Whitewater Township, Michigan

November 19, 2019 - Valid for 90 days



Tracy Stevanov

Midwest Territory Account Manager

Phone 800-262-2633 ext. 1383

Email tstevanov@municode.com

PO Box 2235 Tallahassee, FL 32316

LETTER OF INTEREST



P.O. Box 2235 Tallahassee, FL 32316
municode.com • 800.262.2633

November 19, 2019

Ms. Cheryl Goss
Township Clerk
PO Box 159
Williamsburg, MI 49690

via email: clerk@whitewatertownship.org

Ms. Goss:

Thank you for speaking with Midwest Account Manager Tracy Stevanov regarding the codification of the Township's ordinances. This proposal will provide the scope of services and pricing details for the codification process, which will result in an official Code of Ordinances that is free from internal conflicts and inconsistencies, conforms to the laws of the State of Michigan, and is easily accessible in print and online to staff and citizens alike. Our staff includes 12 in-house professional codification attorneys who have completed hundreds of codification projects nationwide. We will be happy to provide a recent Legal Review Memorandum sample upon request.

With over 68 years of experience, Municode is the oldest and most trusted codifier in the nation. We currently provide codification services to over 4,500 municipalities throughout the United States and host over 3,500 municipal codes online via our code hosting platform, MunicodeNEXT. Whether it's through the legal codification process, full-service or self-service supplementation options, online legislative search tools, meeting management and agenda software, or custom government website design, we have the experience, resources and expertise to provide our local government clients with innovative products, superior technology and excellent customer service. We invite you to visit our corporate website at www.municode.com to explore our full suite of government services.

Our Supplement team includes 14 teams of Legal Editors and Proofreaders who are dedicated to providing the most accurate and efficient supplement process possible for the ongoing maintenance of your new code. Our code hosting platform, MunicodeNEXT, is the nation's most advanced, accessible and intuitive website for government codes. Customers who trust Municode with both their online codes and their municipal website enjoy the added benefit of a unified search engine. With a simple button click, you can easily filter your website search results to pull up all matches within your online Code of Ordinances.

To start the codification process, simply make your selections on pages 3-5 of this proposal and fill in and sign the signature page on page 13. If you have any questions, please let us know. In addition to email, Tracy can be reached at 800-262-2633 ext. 1383, and our Vice President of Client Services, Steffanie Rasmussen (800-262-2633 ext. 1148), also welcomes your call at any time. Thank you for the opportunity to submit this proposal. We look forward to speaking with you soon.

Sincerely,



Dale M. Barstow
Vice President of Sales
Phone: 800-262-2633 ext. 1225



Municode provide Code publishing services to 321 municipalities in Michigan, including many near Whitewater.



GovTech Top 100 Innovators in
2016, 2017 & 2018

Page 1

municode
★
CONNECTING YOU & YOUR COMMUNITY

EXECUTIVE SUMMARY

Codification, Supplementation and Website Hosting

*Logic: Organize your legislation into a logical and comprehensive Code of Ordinances. Engage our full-time attorneys to examine your current body of legislation for legal sufficiency and consistency. Create a Code of Ordinances that is clear, concise and accessible for your staff and citizens. Quickly and efficiently transition your code to the most advanced suite of web/mobile services available in the nation: **MunicodeNEXT**.*

- ★ **Codification** \$11,950¹
Timeline 10-12 months
The codification base cost of \$11,950 is based on a 525 page, single column 10-point code (or 593 11-point pages or 656 12-point pages).

A full-time, Municode attorney will legally review the ordinances, not just a code editor. We will research all legislation against the State Constitution, State Law, and the Charter, and ordinances will be compared to Code content to determine if there are inconsistencies or conflicts within the legislation itself. We will suggest a structure and organization for the code and provide a table of contents indicating the recommended structure. We will also provide State Law references within the code and hyperlinks to internal references within the code. We will provide a legal memorandum containing recommended options and conduct a conference to review the memorandum and recommendations. Our team will edit the text of your code to reflect proper grammar and stylistic consistency; create a subject matter index (if elected); create all tables (contents, State Law reference, prior code comparison, and ordinance disposition); and insert graphics into the printed and electronic versions of the code. A draft code will be provided to you for final review prior to printing and shipment.

- ★ **Supplement Service** (single column per page rate) \$18
Municode does not charge an extra fee for posting supplements online or printing your supplement pages. All of these services are already included in your supplement per page rate.

- ★ **Online hosting = MunicodeNEXT!** \$450²
The online code is only \$450 for our standard service. If you want to further enhance the transparency of your online code, you can upgrade to the MyMunicode bundle for only \$1,195 annually

¹ Please see page 3 for additional pricing details.
² Please see page 5 for additional features and pricing available on our MunicodeNEXT platform.

CODIFICATION QUOTATION SHEET

Codification base cost, includes

\$11,950³

- ★ 525 single column 10-point font pages, including zoning
- ★ Receipt, review and organization of materials
- ★ Legal analysis & research by a full-time, Municode attorney
 - ★ Preparation of legal memorandum by a Municode attorney
- ★ Conference with attorney (make selections below)
- ★ Implementation of approved legal findings
 - ★ Updating State Law references
 - ★ Editorial preparation and proofreading
 - ★ Page formatting (make selections below)
 - ★ Indexing (if elected)
- ★ Tables⁴, Graphics⁵ & tabular matter⁶
- ★ Final proofreading and corrections
- ★ Quality control review and printing
 - ★ 5 copies, to include 3-post stamped binders and tabs
- ★ Adopting ordinance prepared by a Municode attorney

Project is based on the font size & pages below – please only select one:

Font Size Single Column: ☐ 10-point (525) ☐ 11-point (593) ☒ 12-Point (656)

Conference Selection:

- ☐ On-site conference, each Attorney time, travel, lodging and per diem
☒ Teleconference or web-based conference, 3-hour session No charge⁷

Format Elections (Please check or circle desired elections below)

Font: Times New Roman - Will be used as the font unless otherwise indicated.

Other choices include: Helvetica, Avant-Garde Demi, Courier, Palatino, Helvetica Narrow, Century Gothic, Gill Sans and Arial MT

Binder Color: ☒ Semi-Bright Black ☐ Dark Blue ☐ Hunter Green ☐ Burgundy
 Binder Stamping Color: ☐ Gold ☒ Silver

Items not included in base cost

- ★ Pages over 525 10-point, single column pages per page (or equivalent) \$24
- ★ Freight Actual
- ★ State sales tax *Tax Exempt* If applicable
- ★ Post your code on MunicodeNEXT See selections on page 5

Payments for codification project - Your project can be budgeted over two fiscal years

★ Execution of Agreement	\$4,180
★ Submission of the Legal Memorandum	\$2,990
★ Submission of Draft Code	\$2,990
★ Delivery	Balance

³ Legislation added to the project must be approved and received prior to the established cutoff date. Following the delivery of the final code draft for client proofing, any extensive changes requested in the Code content, and/or any material added to the Code that was not previously contemplated, will be subject to an additional Proof Update fee. Proofs not returned within 45 days may be subject to a Proof update fee, if applicable.

⁴ The following tables will be created and are included in the base cost: supplement history table, code comparative table, State Law reference table and ordinance history table. An additional hourly charge applies for creation, modification, addition or updating of any table or schedule other than those enumerated in this footnote. This includes Traffic and Fee tables or schedules.

⁵ Includes printing all copies.

⁶ Tabular matter is defined as algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

⁷ For the initial 3-hour session, then \$150 per hour thereafter.

SUPPLEMENTATION QUOTATION SHEET

Supplement Service Base Page Rate⁸

Page Format	Base Page Rate
Single Column	\$18 per page

Base page rate above includes:

- ★ Acknowledgement of material
- ★ Data conversion, as necessary
- ★ Editorial work
- ★ Proofreading
- ★ Updating the index (if elected)
- ★ Schedule as selected by you⁹
- ★ Updating electronic versions¹⁰ and online code
- ★ Printing 5 copies

Base page rate above excludes:

- ★ Freight
 - ★ State sales tax
 - ★ Images, Graphics¹¹ & tabular¹² matter, each
 - ★ MyMunicode or online code
- Actual
If applicable
\$10
Selections on page 5

Electronic media options for Code of Ordinances (sent via download)¹³

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Folio Bound Views | \$295 initially then \$100 per update |
| <input type="checkbox"/> WORD (DOCX) | \$150 initially then \$75 per update |
| <input type="checkbox"/> Adobe PDF of the code | \$150 initially then \$75 per update |
| <input type="checkbox"/> Adobe PDF of each supplement | \$150 initially then \$75 per update |

Invoices for Supplements and Additional Services will be submitted upon shipment of project(s).

⁸ All prices quoted in this section may be increased annually in accordance with the Consumer Price Index – Bureau of Labor Statistics.

⁹ Schedule for supplements can be weekly, bi-weekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic updates can occur more frequently than printed supplements.

¹⁰ We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.

¹¹ Includes printing of all copies.

¹² Tabular matter is defined as tables, algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.


¹³ "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as PDF, Folio or Word, via one of the aforementioned mediums.

WEBSITE HOSTING QUOTATION SHEET (MunicodeNEXT)



Online features can be purchased on an a la carte basis, or through our MyMunicode bundle for the best value. Please visit our online library of over 3,500 codes on MunicodeNEXT [here](#). You can learn more about our standard and premium online services [here](#).

Please check the appropriate box (es) to indicate your selection:

STANDARD WEB HOSTING

- ☐ **Online Code = MunicodeNEXT**, annually  **\$450**
Mobile friendly site. Full functionality and optimal screen resolution on all devices. In-line images & scrolling tables & charts. Narrow, Pinpoint & Advanced (including Boolean) Searching. Previous and Hit buttons, Persistent breadcrumb trail. Print or Save as formatted WORD (DOCX). Google Translate supports over 90 languages. Social Media/Email. Share links to sections via email, Facebook, Twitter, etc.


OPTIONAL SERVICES

- ☐ **CodeBank** annually **\$150**
Permanent online collection of previous versions of the code.
- ☐ **OrdBank** annually (or per ordinance)  **\$325**
☐ Permanent online collection of ordinances with hyperlinks from history notes, supplement history table, and code comparative table to ordinances. Applies to amendatory (included) ordinances only. **(\$35)**
- ☐ **OrdBank + OrdLink** annually (or per ordinance) **\$425**
Provides hyperlinks from newly adopted amendatory legislation to sections of the code that will be amended. **(\$60)**
- ☐ **CodeBank Compare + eNotify**¹⁴ annually  **\$250**
Compare any two versions of your online code (starting with the first Municode supplement). Notify provides readers email updates each time the code is updated.
- ☐ **MuniPRO** Service annually **\$295**
Search over 3,500 online codes/ordinances. Attach notes to codes and drafts of new legislation.
- ☐ **Custom Banner** one-time fee **\$250**
Customize MunicodeNEXT to match the look of your website.
- ☐ **MuniDocs**¹⁵ annually, upgraded self-loading capabilities – *first 3 months service at no charge!* **\$350**¹⁶
Host any other municipal documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets and more for self-loading to the MuniDocs platform!

My Municode - Value Pricing!

- ☒ **MyMunicode** annually **\$1,195**¹⁷
Includes **MunicodeNEXT** (Online Code), **OrdBank**, **CodeBank**, **CodeBank Compare + eNotify**, **MuniPRO**, and **Custom Banner**

RECOMMENDED ADDITIONAL SERVICES (See pages 11 & 12 to review additional services)

- ☐ **MunicodeMEETINGS** Agenda Management Software, annually  **\$3,400**
Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

¹⁴ Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

¹⁵ Your MuniDocs files can also serve as storage for archived ordinances within the MuniDocs platform. Unlike our online OrdBank feature, these self-loaded archived ordinances will not be linked to the legislation within the online Code. All ordinances for codification and all ordinances for linking via our OrdBank feature can be emailed to us at ords@municode.com.

¹⁶ Includes up to 25 GB storage. Quote for additional storage is available upon request.

¹⁷ Total value if each item were to be purchased a la carte would be approximately \$1,470 per year with participation in our OrdBank service.

COMPANY PROFILE

History, Mission, and Team

With over 68 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode partners with more than 4,500 government agencies across all fifty states. Municode is a privately-owned corporation and is financially sound with no debt. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees; Our clients can establish a long-term partnership with our experienced and stable workforce.



Municode is home to over 160 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. Our West Coast office is located just south of Portland in Lake Oswego, Oregon. We also have individual team members working in several states across the country.



Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



SCOPE OF SERVICES

Codification & Publication Summary

During the codification process, the attorney assigned to your project will organize and examine all ordinances and code related material in order to produce a Code of Ordinances that is free from conflicts and inconsistencies and conforms to the laws of the State of Michigan. Your Municode attorney will be available to consult with you and your staff at any time during the codification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The complete process is outlined below.

Ordinances. All legislation of a general and permanent nature, passed in final form by you as of the cutoff date established by you and your Municode attorney, will be included in the code. All material that we receive will be acknowledged via e-mail, in order to establish a record of included ordinances. Legislation not of a general and permanent nature will be omitted from the code unless otherwise instructed by you. Notations can be added in the code to reference legislation adopted by reference, if elected.

Attorney Analysis and Review of Material. Your Municode attorney, along with his/her team of legal editors, proofreaders and indexers will be assigned to this project. Our legal team will research all legislation submitted by you to ensure conformity with state statutes. The ordinances will also be compared to Code content in order to determine if there are any inconsistencies or conflicts within the legislation itself. Ordinances enacted, or added, subsequent to the date of this agreement, or items not contemplated within the scope of service, may be included later at an agreed upon page rate. We will suggest a structure and organization for the code and provide a Table of Contents indicating the recommended structure.

Page Format Options. We will work with you to determine the desired formatting and style of the new code, and will review page composition format options, such as font type, font size, page layout, and graphics appearance and placement with you. We will help you choose a format that produces a professional document that is easily researched.

References. We will provide State Law References within the code. Editorial notes will be provided as appropriate. Internal references within the code will be hyperlinked in the online version.

Legal Memorandum. We will provide you with a user-friendly Legal Memorandum containing all of our analyses and recommendations. This memorandum will reflect our attorney's Legal Review and will provide you with recommended options intended to remove conflicts and inconsistencies; conform to State Law, when appropriate; and ensure compliance with your charter. This approach facilitates collaboration and dissemination among departments, thus making the process as easy for you as possible. Our goal is to make the codification process simple and smooth for you.

Conference. Within 30 days of your receipt of the Legal Memorandum, we will conduct a conference, either in person or via telephone or webinar, to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. Issues discovered during the legal research will be discussed at the conference, with the goal of the conference being to come to agreement on any required changes. Your attorney has the final decision-making authority for resolution of issues brought up at the conference or noted in the Legal Memorandum.

Editing and Proofreading. Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code, unless you approve the revision. However, non-substantive revisions to improve readability are a part of the process. We will proofread your code. The text will be reviewed for sense and structure and to ensure the implementation of the decisions by your attorney and our attorney.

Index, Graphics and Tables. Our team will create a hierarchical, subject matter Index (if elected) and all tables (contents, State Law Reference, prior code comparison and ordinance disposition) for your code as necessitated by the materials provided. We will insert the graphics you have provided into the printed and electronic versions of the code.

Post Conference Code Draft. After editing and proofreading, a post-conference Code Draft incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you for final review prior to printing and shipping. We guarantee typographical correctness. Any errors attributable to

our team will be corrected at no charge during the term of this agreement. After the code draft is provided additional material can be added to the project for an additional charge.

Adopting Ordinance. Our attorney will provide an adopting ordinance upon completion of the codification.

Printing and Binding. We will print your new code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in heavy duty, 3-post leatherette binders (with 4 color choices), name-stamped on the front and spine of each binder. Divider tabs for each major section of the code and index (if elected) will also be provided.

The time frame for completion of the codification project is within **10 to 12 months**, excepting any delays occasioned by the Township. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the Code is adopted and published. To ensure a successful project completion, it's important that a conference is held to discuss the findings of the Legal Memorandum within 30 days of its receipt, and that the subsequent Code Draft we provide be returned within 45 days with any revisions noted. If the Code draft is not returned within 45 days, additional update fees may apply.

Your participation in the Scope of Services for Codification & Publication of the code is anticipated to be as follows:

Codification and Publication

- ★ Provide all ordinances and code material, preferably in WORD format;
- ★ Provide images, graphics and tabular matter, preferably in original format;
- ★ Be available to answer any questions from the Municode Attorney conducting the project;
- ★ Attend the conference to discuss the findings of the Legal Memorandum;
- ★ Work with the Municode Attorney to resolve the findings of the Legal Memorandum;
- ★ Work with Municode to determine the desired formatting and style of the new code;
- ★ Return the draft code to Municode with any revisions noted;
- ★ Adopt the newly codified code.

Supplementation Services

Municode's full-service supplementation process has been designed for timeliness, efficiency, simplicity and most of all, for our customers' convenience. Supplements can be provided on the schedule of your choice. In addition to printed supplements, we can deliver the updates in Word, PDF and/or Folio formats.

We pride ourselves on a turnaround time of **30 to 35 days for printed supplements** and can provide you with "always up to date" **electronic update services within 10 to 15 days** at the same per page rate quoted for printed supplements. With printed supplementation, the online code is updated within **3 days** after shipping the supplement, and there is no additional fee for this service.

A recent analysis of our 2018 printed supplement Services indicated an editorial error rate of less than .1%, which is made possible by our attention to detail, ongoing communication with our clients, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to Municode during the preparation, printing and maintenance of the code will be corrected at no cost. The printed supplement process is outlined below:

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If our OrdBank service (advance legislation service) is selected, the legislation will be posted online within 48 hours in PDF format as "Adopted Legislation not yet Codified".
2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your code; where the ordinance should be placed; whether the ordinance conflicts with your existing code format; what material should be removed from your existing code; whether history notes will be added; what tables will be updated and whether the Table of Contents in the front of the code and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will

be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you to ensure that the ordinances are correct and consistent with the existing code.

3. Indexing – If an Index is elected, your supplement will now be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.
4. Proofreading – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hierarchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.
5. Posting the supplement online (MunicodeNEXT) – After your supplement has been completed, your online code will be updated within 3 days and any electronic products requested will be provided. You will receive notification that the website has been updated via email. If our CodeBank Compare + eNotify service is selected, citizens will be notified each time the online code is updated. When your code is updated on MunicodeNEXT, all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.
6. Printing and Shipping – We will print, cut, 3 hole-punch, insert divider tabs and ship your supplement to you quarterly unless otherwise instructed. You can change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; as well as a *Checklist* of up-to-date pages with each supplement.



Website Hosting Services (MunicodeNEXT)

Our code hosting platform, MunicodeNEXT, includes both Standard and Premium features, designed to provide a wide variety of additional capabilities for the research and navigation of your code, as well as for preserving its history. With our MunicodeNEXT advanced features, your staff and citizens need only click the link provided on your municipality's website to access your full Code of Ordinances. They not only have access to your complete and current Code of Ordinances, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated, and the ability to translate your code into over 100 languages via **Google Translate**, which is included at no additional charge. We encourage you to visit our online library of over 3,500 codes hosted on MunicodeNEXT: <https://library.municode.com/>.

ADA compliance is multi-faceted. All HTML content viewed via our MunicodeNEXT web application is WCAG 2.1 Level AA compliant and will scale to the viewport of any modern smartphone or tablet running iOS, Android, or Windows Phone 7 or higher. Web application accessibility techniques continue to involve and improve as technology advances. Municode is committed to making accessibility an important part of ongoing product updates. Our tech stack includes HTML5 & CSS3, Javascript (AngularJS), and a restful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, macOS®: Safari™ 5.0 or later, and Chrome 18 or later.

We house our public facing website in a secure, SAS70, PCI compliant data center owned and operated by Flexential in Atlanta, Georgia. All systems are backed up and synchronized between our Tallahassee, Florida and Atlanta, Georgia locations for full geographic redundancy. We actively monitor the status of our hosting facility. We utilize Veeam Backup & Recovery to take daily snapshots of all servers in both of our data centers. Snapshots are performed from 8 pm EST to 5 am EST, are replicated between sites and are routinely tested. Biometric authentication is required to enter the data center facility, and anyone entering the premises must be either active customers or authorized vendors with badge and PIN access. Each rack is locked with a combination lock to prevent unauthorized entry or access. The facility is monitored by camera 24/7 to further provide physical security.

We secure our systems using enterprise grade security products. We employ firewalls from Palo Alto networks to secure the perimeter and endpoint security from Carbon Black to provide anti-virus scanning and threat detection on all servers, desktops, laptops, virtual machines and mobile devices. Carbon Black actively scans all file access on all endpoints of our network and quarantines any suspected malware, immediately sending notification to our systems administration staff. We use Nimble and 3Par SANs for all our storage needs. Each SAN member is fully redundant – redundant power supplies, controllers, NICs, etc. The drives on each array are configured as either RAID 5, RAID 50, or RAID 60 arrays.

Our powerful search engine allows users to enter simple or advanced searches and supports Boolean operators, stemming, wildcards, proximity searches, and a global synonym list. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order! Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

MunicodeNEXT is designed with accessibility in mind. Our application is fully responsive, ensuring all features are available on appropriately sized desktop, tablet, and smartphone viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices running iOS or Android. Our application also conforms to Level AA of the Web Content Accessibility Guidelines 2.0.

MunicodeNEXT Premium Feature Summary

- ★ **CodeBank** will enable you to have instant access to past versions of your code after each supplementation.
- ★ **CodeBank Compare + eNotify** provides you with the ability to select a past version of your online code and compare it to any other version of the code each time the code is updated. The differences will be shown via Highlights (added materials) or Strikethrough (deleted material).
- ★ **eNotify** allows users to enroll to receive an email notification each time your online code is updated. A "modified," "removed" or "added" badge is shown within the online table of contents to alert users of recently amended sections of your code.
- ★ **OrdBank** will create one click access to every amendatory ordinance via linked history notes. Ordinances are permanently stored online in the OrdBank repository and filed in annual folders.
- ★ **OrdLink** will create highlights within your online code to help users identify what amendatory ordinances have been recently adopted and what code sections have been amended.
- ★ **MuniPRO** allows you to search over 3,500 codes in the Municode library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances.
- ★ **MuniDocs** has recently been upgraded to allow clients to upload a wide variety of .rtf, .doc, .docx, and .pdf documents to browse and search alongside the code. Uploading is as simple as dragging and dropping the document from your computer into the upload dialog box on the improved administrator dashboard, where previously uploaded documents can also be managed. When uploaded, users can choose from a wide list of predefined document types, including minutes, agendas, resolutions and more. These documents are immediately converted to PDF and indexed for search, organized in nested folders – allowing the public to browse and search them immediately.

ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.



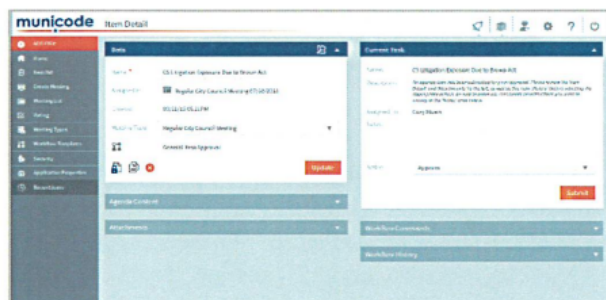
☐ [Request MunicodeWEB Demo/Proposal](#)

Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!

Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our "single click publishing" will provide you with automatic agenda and packet creations.



☐ [Request MunicodeMEETINGS Demo/Proposal \(see pricing page 5\)](#)



GovTech Top 100 Innovators in
2016, 2017 & 2018

Payment Solutions - Point and Pay

Our preferred payment solutions partner, Point & Pay (<https://www.pointandpay.com/>) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

☐ [Request Point and Pay Demo/Proposal](#)

MCCi Services:

Laserfiche Enterprise Content Management Software and Services

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

Digital Imaging Services

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.



Open Records Request Software

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.



JustFOIA helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

☐ [Request MCCi Demo/Proposal](#)

Internet-based Document Editing and Presentation System

enCodePlus is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **enCodePlus** assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCodePlus** has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCodePlus** can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: <http://www.encodeplus.com/>



☐ [Request enCodePlus™ Demo/Proposal](#)



GovTech Top 100 Innovators in
2016, 2017 & 2018

SIGNATURE PAGE

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Township of Whitewater, Michigan.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and end three years after the publication date of the new code. Thereafter, the supplement service shall be automatically renewed from year to year provided that either party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

Municode Officer: Dale M. Barstow

Title: Dale M. Barstow, Vice President of Sales

Date: November 19, 2019

Accepted by:

TOWNSHIP OF WHITEWATER, MICHIGAN

Signature: Cheryl A. Goss

Printed Name: Cheryl A. Goss

Title: Township Clerk

Date: 02/21/2020

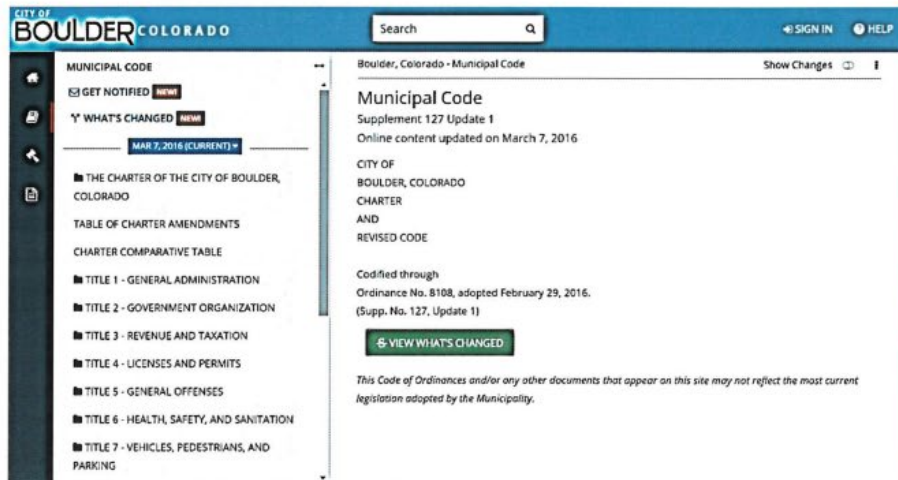


ATTACHMENT A

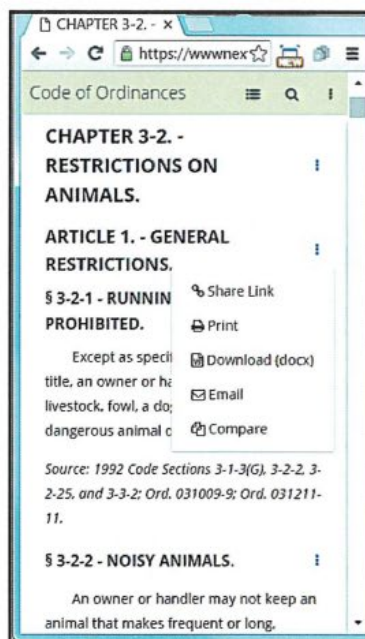
MunicodeNEXT Standard & Premium Features

STANDARD FEATURES OF MunicodeNEXT

Responsive Design – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.

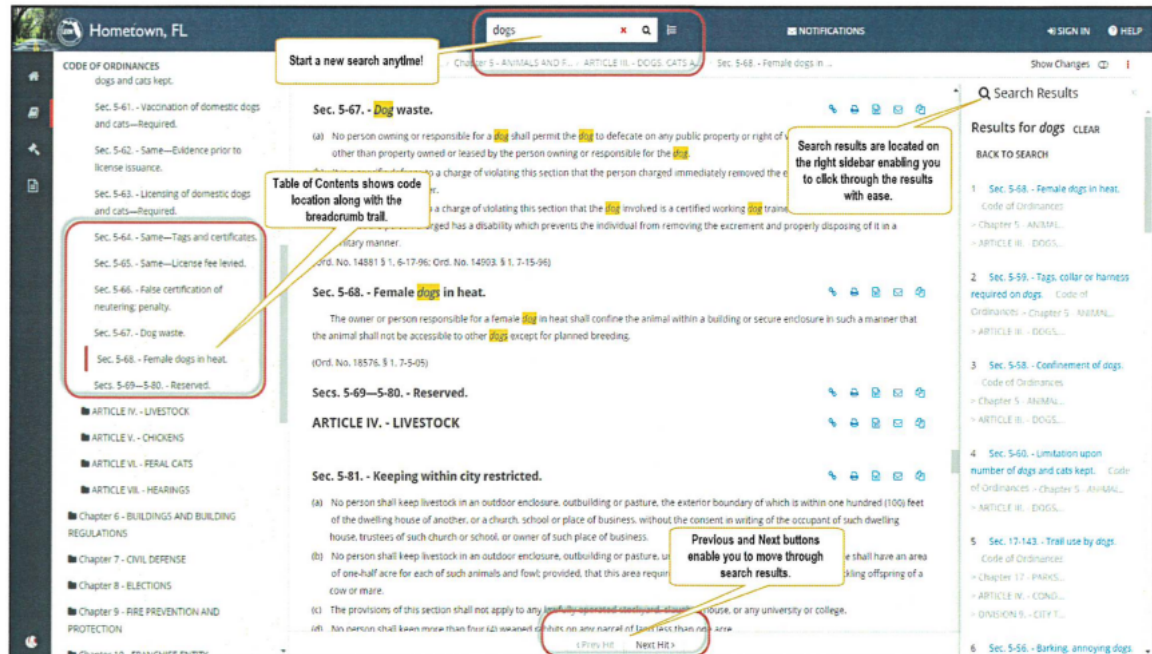


Mobile and Tablet friendly – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



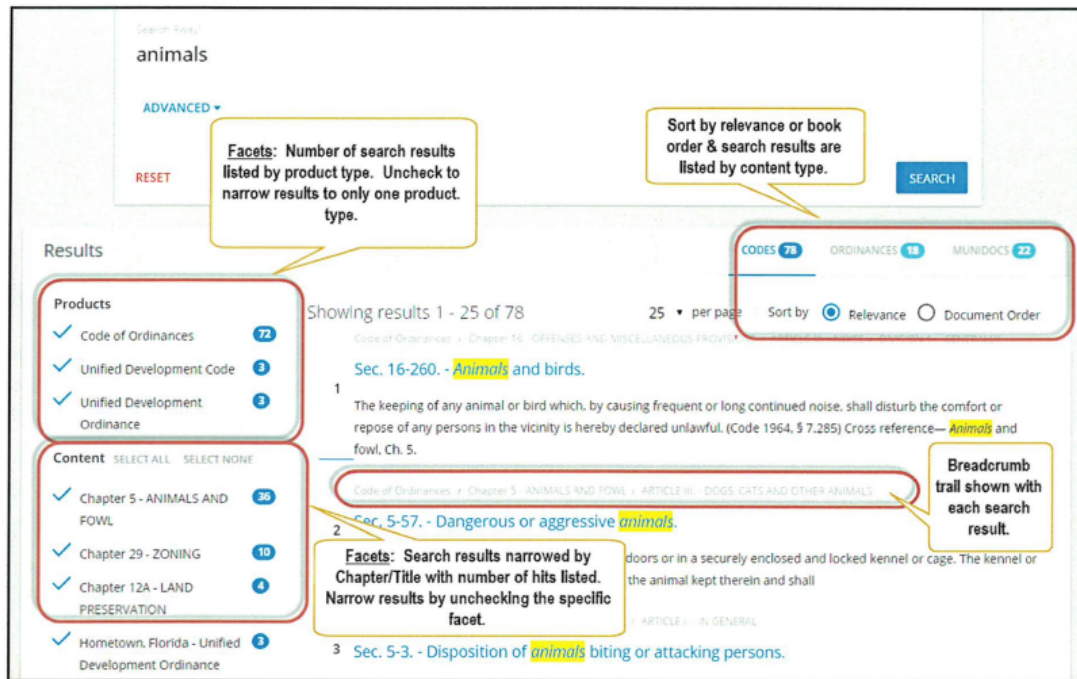
Print/Save/Email – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your Code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

Searching – Municode leverages a powerful open source search platform that also powers sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking “back” to a search results page. The Code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



Municode Search Components:

- ★ **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- ★ **Multiple Publications** – If you have multiple publications (Code, zoning, etc.), they will all be searchable from one interface.
- ★ **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- ★ **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the Code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- ★ **Narrow Searching** – Your users could search selected chapters or titles in order to pinpoint their searches and find what they are looking for as quickly as possible!
- ★ **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser's bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser's tabs.



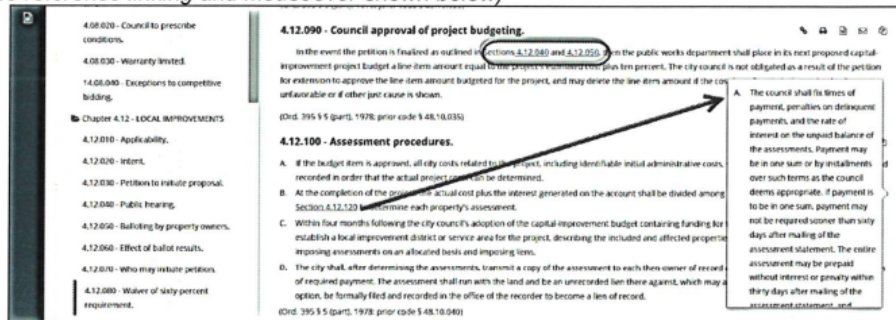
Search enhancements provided with our latest website upgrade include (see screenshot above):

Browsing – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you're viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.



- ★ **Internal Cross-Reference Linking** – Cross-references within your Code are linked to their respective destination Article, Chapter or Section.
- ★ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your Code. Easily view your maps, graphs and charts by simply enlarging the item.
- ★ **Mouseover (cluetips)** – Navigate to your Code and any linked cross-reference will quickly display in the pop-up preview window.
- ★ **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Cross-reference linking and mouseover shown below)



Translation – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Social Media Sharing – You and your users are able to share Code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

Static Linking – Copy links of any section, chapter or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

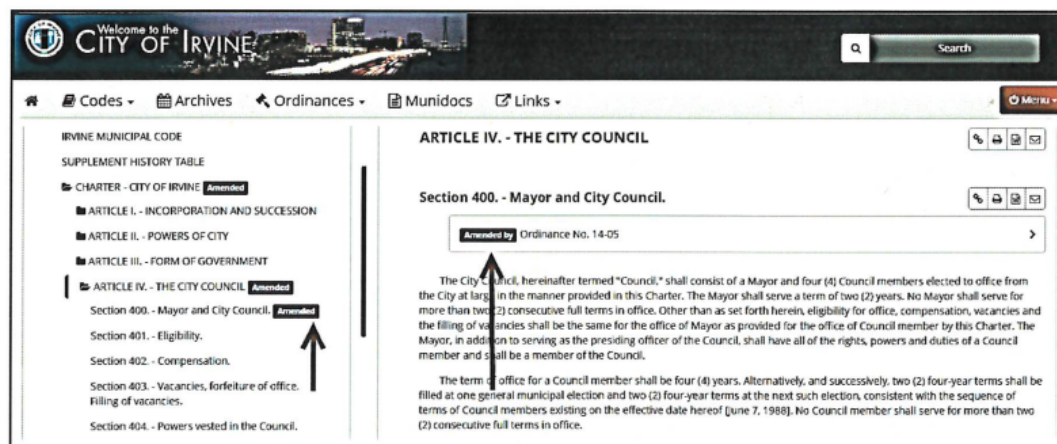
GIS – We can provide a permalink to any Code section and assist staff to create a link from your GIS system to relevant Code sections.

In-line Images & PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the Code that have very specific viewing and layout requirements.

Website Accessibility – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.0.

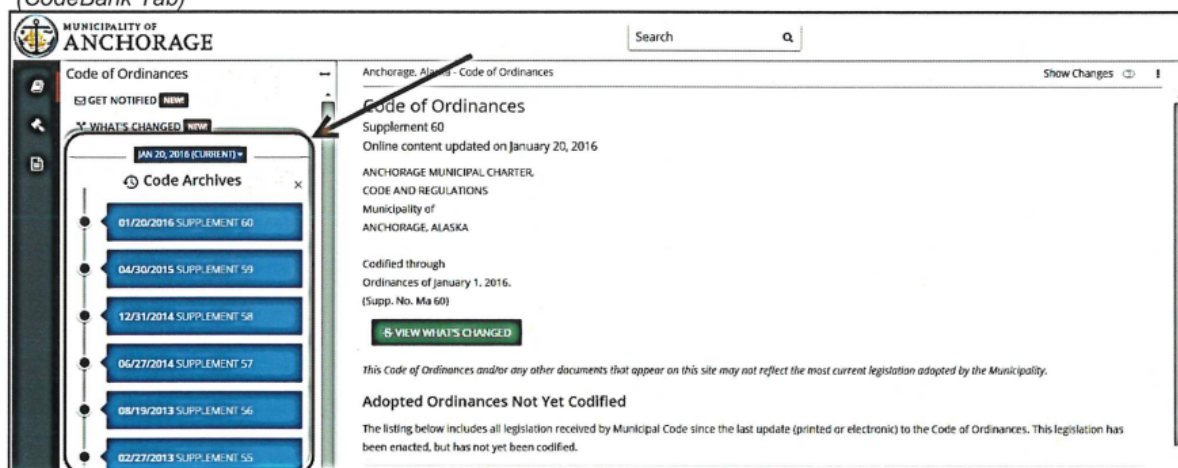
Support – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

OrdLink + OrdBank. Prior to incorporating the ordinances into your Code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your Code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



CodeBank. Our CodeBank feature provides an online archival platform for previous supplements of your Code. Empower your staff and citizens to access every previous version of your Code with one click.

(CodeBank Tab)



CodeBank Compare. Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online Code and compare it to any other version of your online Code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the Code via "modified," "new" or "removed" badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your Code that were implemented during the most recent update.

eNotify. Our eNotify service allows users to enroll online and receive email notifications each time your online Code is updated. This will empower your staff and citizens to receive instant notifications every time your online Code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.

☒ Get Notified

Filling out this form will allow you to receive an email notification every time select publications are updated.

Note: If you no longer wish to receive these notifications once signed up, you can unsubscribe via a link in the notification email.

Email:
Enter email

Profession:
Select One

Codes:

- ☐ Unified Development Code
- ☐ Unified Development Ordinance
- ☒ Code of Ordinances

Sign up to be notified for all publications or narrow notifications to only one product.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the Code stored in CodeBank.

(Changes are shown in your Text Changes Tab and in your Table of Contents)

The screenshot shows the Anchorage, Alaska Code of Ordinances website. The 'Text Changes' tab is active, displaying a list of changes. A table of contents is visible on the right side, listing various sections such as 'ANCHORAGE MUNICIPAL CHARTER, CODE AND REGULATIONS', 'SUPPLEMENT HISTORY TABLE', 'TITLE 2 - LEGISLATIVE BRANCH', 'Chapter 2.30 - RULES OF PROCEDURE', '2.30.020 - Meetings', 'TITLE 2 - LEGISLATIVE BRANCH', 'Chapter 2.50 - INITIATIVE, REFERENDUM', '2.50.090 - Effect of vote', 'TITLE 3 - ADMINISTRATIVE BRANCH', 'Chapter 3.30 - EXECUTIVE ORGANOGRAM', '3.30.010 - Executive and administrative order'.

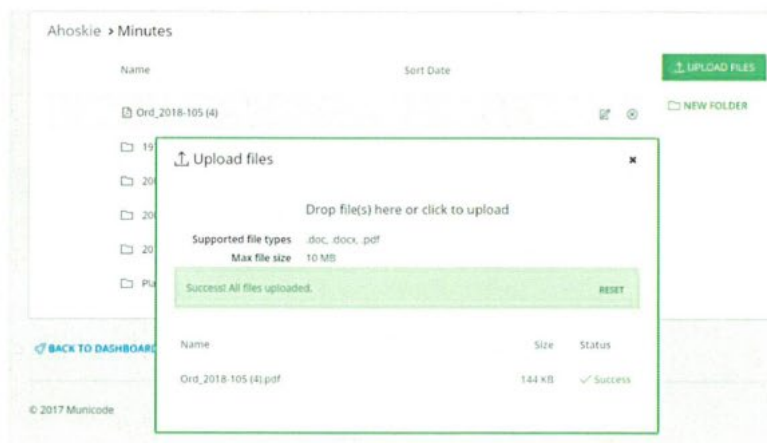
(Show changes button and a custom banner are shown below)

The screenshot shows the Bonita Springs, Florida Code of Ordinances website. The 'Show Changes' button is visible in the top right corner. A custom banner is displayed below the 'Show Changes' button, reading: 'Code of Ordinances Supplement 2 Online content updated on January 29, 2016 BONITA SPRINGS CITY CODE Codified through Ordinance No. 15-27, enacted December 2, 2015. (Supp. Mayor)'.

MuniDocs. MuniDocs Upload allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After users login, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users are able to pick from a list of predefined document types

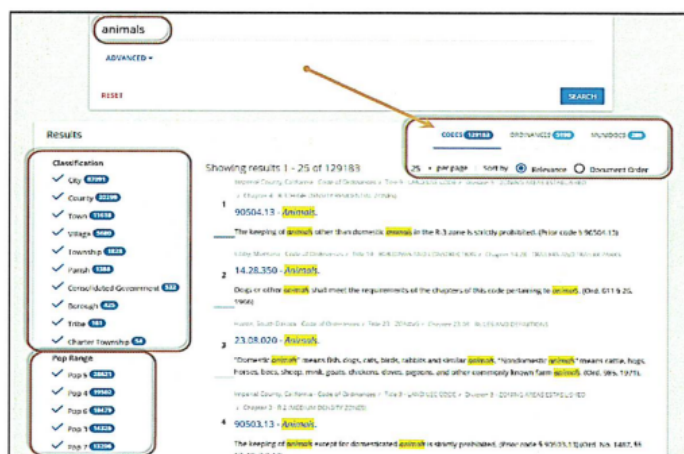
- Name
- Minutes
 - Agendas
 - Budgets
 - Resolutions
 - Applications
 - Forms
 - Policies
 - Manuals
 - Misc. Documents

Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.



MuniPRO. MuniPRO Searching allows you to search the over 3,500 Codes we host (the entire country, a single state or individually selected Codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

- ★ **Multiple Code Search.** Search all Codes within one state, multiple Codes within one state, or search all Codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.
- ★ **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.
- ★ **MuniPRO Notes.** Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.
- ★ **MuniPRO Drafts.** Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.





TAB 4

Budget



WWT Planning Commission Budget Tracker 2023 (1)

15-May-23

Dept 400 Planning Commission

DEPT 400 PLANNING COMMISSION

		ADOPTED	Q1 PLAN	SPEND	Q2 PLAN	SPEND	Q3 PLAN	SPEND	Q4 PLAN	SPEND	SPEND	UNSPENT	OVERSPENT
702	Salaries	16000	\$4,800		4800		4800		4800				\$3,200
	based on 30 meetings		3 per month		3 per month		3 per month		3 per month				
	\$533.33 per meeting												
703	Wages	2120	530										
	Recording												
715	Soc Sec	937	234										
716	Medicare	219	55										
727	Office Supplies & Expenses	2000	500										
728	Postage	3000	750										
804	Professional Services	32000	18000		22000		25000		25000		90000		\$58,000
	Master Plan Update = 90k-125k												
840	Dues and Memberships	250											
847	Software Support	160											
860	Mileage Reimbursement	250											
865	Meals & Lodging	0											
880	Education & Training	2000											
901	Publishing	3000											
902	Printing	2500											
	Master Plan = \$2500												
	TOTAL	64436											

North Place Planning, LLC Payments thus far:

Display Invoices by Vendor

Date: 05/08/2023

Time: 12:54 pm

Page: 1

Whitewater Township

Vendor Name: NORTH PLACE PLANNING LLC

Vendor Number: NORTH PL

Invoice Number	Inv. Date	Ref No.	Status	Check No.	Check Date	Net Amt	PO No.	Invoice Description
	04/11/2023	28885	C	49049	04/25/2023	900.00		03/01-03/31/2023
	02/28/2023	28771	C	48918	03/15/2023	825.00		02/01-02/28/2023
	02/06/2023	28706	C	48837	02/15/2023	750.00		01/01-01/31/2023
	01/09/2023	28632	C	48751	01/17/2023	825.00		12/01-12/31/2022
NOVEMBER 2022	12/06/2022	28569	C	48661	12/20/2022	675.00		11/01-11/30/2022 MASTER PLAN DEC PC MTG
OCTOBER	11/07/2022	28467	C	48517	11/09/2022	1,162.50		OCT. 2022 - CONDO REGS, CAMPGR REGS, MASTER PLAN
Total Invoices: 6						5,137.50		



TAB 5

Act 33



MICHIGAN PLANNING ENABLING ACT
Act 33 of 2008

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

The People of the State of Michigan enact:

ARTICLE I.
GENERAL PROVISIONS

125.3801 Short title.

Sec. 1. This act shall be known and may be cited as the "Michigan planning enabling act".

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3803 Definitions.

Sec. 3. As used in this act:

- (a) "Chief administrative official" means the manager or other highest nonelected administrative official of a city or village.
- (b) "Chief elected official" means the mayor of a city, the president of a village, the supervisor of a township, or, subject to section 5, the chairperson of the county board of commissioners of a county.
- (c) "County board of commissioners", subject to section 5, means the elected county board of commissioners, except that, as used in sections 39 and 41, county board of commissioners means 1 of the following:
 - (i) A committee of the county board of commissioners, if the county board of commissioners delegates its powers and duties under this act to the committee.
 - (ii) The regional planning commission for the region in which the county is located, if the county board of commissioners delegates its powers and duties under this act to the regional planning commission.
- (d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.
- (e) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other elected governing body of a city or village.
- (f) "Local unit of government" or "local unit" means a county or municipality.
- (g) "Master plan" means either of the following:
 - (i) As provided in section 81(1), any plan adopted or amended before September 1, 2008 under a planning act repealed under section 85.
 - (ii) Any plan adopted or amended under this act. This includes, but is not limited to, a plan prepared by a planning commission authorized by this act and used to satisfy the requirement of section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term.
- (h) "Municipality" or "municipal" means or refers to a city, village, or township.
- (i) "Planning commission" means either of the following, as applicable:
 - (i) A planning commission created pursuant to section 11(1).
 - (ii) A planning commission retained pursuant to section 81(2) or (3), subject to the limitations on the application of this act provided in section 81(2) and (3).
- (j) "Planning jurisdiction" for a county, city, or village refers to the areas encompassed by the legal boundaries of that county, city, or village, subject to section 31(1). Planning jurisdiction for a township refers to the areas encompassed by the legal boundaries of that township outside of the areas of incorporated villages and cities, subject to section 31(1).
- (k) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is the more recent.
- (l) "Public transportation agency" means a governmental entity that operates or is authorized to operate

intercity or local commuter passenger rail service in this state or a public transit authority created under 1 of the following acts:

- (i) The metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.
- (ii) The public transportation authority act, 1986 PA 196, MCL 124.451 to 124.479.
- (iii) 1963 PA 55, MCL 124.351 to 124.359.
- (iv) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38.
- (v) The revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140.
- (vi) The charter township act, 1947 PA 359, MCL 42.1 to 42.34.
- (vii) The urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- (m) "Public transportation facility" means that term as defined in section 2 of the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.402.
- (n) "Street" means a street, avenue, boulevard, highway, road, lane, alley, viaduct, or other public way intended for use by motor vehicles, bicycles, pedestrians, and other legal users.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3805 Assignment of power or duty to county officer or body.

Sec. 5. The assignment of a power or duty under this act to a county officer or body is subject to 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, in a county organized under 1 of those acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3807 Master plan; adoption, amendment, and implementation by local government; purpose.

Sec. 7. (1) A local unit of government may adopt, amend, and implement a master plan as provided in this act.

(2) The general purpose of a master plan is to guide and accomplish, in the planning jurisdiction and its environs, development that satisfies all of the following criteria:

- (a) Is coordinated, adjusted, harmonious, efficient, and economical.
- (b) Considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development.
- (c) Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.
- (d) Includes, among other things, promotion of or adequate provision for 1 or more of the following:
 - (i) A system of transportation to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.
 - (ii) Safety from fire and other dangers.
 - (iii) Light and air.
 - (iv) Healthful and convenient distribution of population.
 - (v) Good civic design and arrangement and wise and efficient expenditure of public funds.
 - (vi) Public utilities such as sewage disposal and water supply and other public improvements.
 - (vii) Recreation.
 - (viii) The use of resources in accordance with their character and adaptability.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010.

ARTICLE II.

PLANNING COMMISSION CREATION AND ADMINISTRATION

125.3811 Planning commission; creation; adoption of ordinance by local unit of government; notice required; exception; adoption of charter provision by city or home rule village; effect of repeal of planning act; continued exercise or transfer of powers and duties of zoning board or zoning commission.

Sec. 11. (1) A local unit of government may adopt an ordinance creating a planning commission with powers and duties provided in this act. The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning

commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.

Sec. 13. (1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. If such a petition is filed, the ordinance shall not take effect until approved by a majority of the electors residing in the unincorporated portion of the township voting thereon at the next regular or special election that allows reasonable time for proper notices and printing of ballots or at any special election called for that purpose, as determined by the township board. The township board shall specify the language of the ballot question.

(3) Subsection (2) does not apply if the planning commission created by the ordinance is the successor to an existing zoning commission or zoning board as provided for under section 301 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3301.

(4) If a township board does not on its own initiative adopt an ordinance under this act creating a planning commission, a petition may be filed with the township clerk requesting the township board to adopt such an ordinance. The petition shall be signed by a number of qualified and registered electors as provided in subsection (2). If such a petition is filed, the township board, at its first meeting following the filing shall submit the question to the electors of the township in the same manner as provided under subsection (2).

(5) A petition under this section, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.

Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or

2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:

(a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.

(b) 2, in a city or village that has, on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).

(c) 1, in local units of government other than those described in subdivision (a) or (b).

(5) In a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, 1 member of the legislative body or the chief elected official, or both, may be appointed to the planning commission, as ex officio members. In any other township, 1 member of the legislative body shall be appointed to the planning commission, as an ex officio member. In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:

(a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.

(c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 105, Imd. Eff. June 29, 2010.

125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.

Sec. 17. (1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.

Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.

Sec. 21. (1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.

Sec. 23. (1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3825 Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.

Sec. 25. (1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a charter provision or ordinance delegates this authority to the planning commission or another body or official. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(2) For the purposes of this act, a planning commission may make use of maps, data, and other information and expert advice provided by appropriate federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE III.

PREPARATION AND ADOPTION OF MASTER PLAN

125.3831 Master plan; preparation by planning commission; meetings with other governmental planning commissions or agency staff; powers.

Sec. 31. (1) A planning commission shall make and approve a master plan as a guide for development within the planning jurisdiction subject to section 81 and the following:

(a) For a county, the master plan may include planning in cooperation with the constituted authorities for incorporated areas in whole or to the extent to which, in the planning commission's judgment, they are related to the planning of the unincorporated area or of the county as a whole.

(b) For a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, or for a city or village, the planning jurisdiction may include any areas outside of the municipal boundaries that, in the planning commission's judgment, are related to the planning of the municipality.

(2) In the preparation of a master plan, a planning commission shall do all of the following, as applicable:

(a) Make careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation to neighboring jurisdictions.

(b) Consult with representatives of adjacent local units of government in respect to their planning so that conflicts in master plans and zoning may be avoided.

(c) Cooperate with all departments of the state and federal governments, public transportation agencies, and other public agencies concerned with programs for economic, social, and physical development within the planning jurisdiction and seek the maximum coordination of the local unit of government's programs with these agencies.

(3) In the preparation of the master plan, the planning commission may meet with other governmental planning commissions or agency staff to deliberate.

(4) In general, a planning commission has such lawful powers as may be necessary to enable it to promote local planning and otherwise carry out the purposes of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3833 Master plan; land use and infrastructure issues; inclusion of maps, plats, charts, and other related matter; recommendations for physical development; additional subjects; implementation of master street plan or certain elements; specifications; section subject to MCL 125.3881(1); public transportation facilities.

Sec. 33. (1) A master plan shall address land use and infrastructure issues and may project 20 years or more into the future. A master plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction.

(2) A master plan shall also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction:

(a) A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, subject to subsection (5), public transportation facilities, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan

zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and program for the county may be a general plan with a generalized future land use map.

(b) The general location, character, and extent of all of the following:

(i) All components of a transportation system and their interconnectivity including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(c) Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.

(e) Recommendations for implementing any of the master plan's proposals.

(3) If a master plan is or includes a master street plan or 1 or more elements described in subsection (2)(b)(i), the means for implementing the master street plan or elements in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality.

(4) This section is subject to section 81(1).

(5) The reference to public transportation facilities in subsection (2)(a) only applies to a master plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3835 Subplan; adoption.

Sec. 35. A planning commission may, by a majority vote of the members, adopt a subplan for a geographic area less than the entire planning jurisdiction, if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth in section 7.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3837 Metropolitan county planning commission; designation; powers.

Sec. 37. (1) A county board of commissioners may designate the county planning commission as the metropolitan county planning commission. A county planning commission so designated shall perform metropolitan and regional planning whenever necessary or desirable. The metropolitan county planning commission may engage in comprehensive planning, including, but not limited to, the following:

(a) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development.

(b) Programming of capital improvements based on relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program.

(c) Coordination of all related plans of local governmental agencies within the metropolitan area or region.

(d) Intergovernmental coordination of all related planning activities among the state and local governmental agencies within the metropolitan area or region.

(2) In addition to the powers conferred by other provisions of this act, a metropolitan county planning commission may apply for, receive, and accept grants from any local, regional, state, or federal governmental agency and agree to and comply with the terms and conditions of such grants. A metropolitan county planning commission may do any and all things necessary or desirable to secure the financial aid or cooperation of a regional, state, or federal governmental agency in carrying out its functions, when approved by a 2/3 vote of the county board of commissioners.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3839 Master plan; adoption; procedures; notice; submittals; use of electronic mail.

Sec. 39. (1) A master plan shall be adopted under the procedures set forth in this section and sections 41 and 43. A master plan may be adopted as a whole or by successive parts corresponding with major geographical areas of the planning jurisdiction or with functional subject matter areas of the master plan.

(2) Before preparing a master plan, a planning commission shall send to all of the following, by first-class mail or personal delivery, a notice explaining that the planning commission intends to prepare a master plan and requesting the recipient's cooperation and comment:

(a) For any local unit of government undertaking a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county undertaking a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality undertaking a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

(e) For a municipality undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located.

(f) For any local unit of government undertaking a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for this purpose with the planning commission.

(g) If the master plan will include a master street plan, the county road commission and the state transportation department.

(3) A submittal under section 41 or 43 by or to an entity described in subsection (2) may be made by personal or first-class mail delivery of a hard copy or by electronic mail. However, the planning commission preparing the plan shall not make such submittals by electronic mail unless, in the notice described in subsection (2), the planning commission states that it intends to make such submittals by electronic mail and the entity receiving that notice does not respond by objecting to the use of electronic mail. Electronic mail may contain a link to a website on which the submittal is posted if the website is accessible to the public free of charge.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3841 Preparation of proposed master plan; submission to legislative body for review and comment; approval required; notice; submission of comments; statements as advisory.

Sec. 41. (1) After preparing a proposed master plan, a planning commission shall submit the proposed master plan to the legislative body for review and comment. The process of adopting a master plan shall not proceed further unless the legislative body approves the distribution of the proposed master plan.

(2) If the legislative body approves the distribution of the proposed master plan, it shall notify the secretary of the planning commission, and the secretary of the planning commission shall submit, in the manner provided in section 39(3), a copy of the proposed master plan, for review and comment, to all of the following:

(a) For any local unit of government proposing a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county proposing a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality proposing a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that local unit of government is located. If there is a county planning commission, the secretary of the municipal planning commission may submit a copy of the proposed master plan to the regional planning commission but is not required to do so.

(e) For a municipality proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located. The secretary of the municipal planning commission shall concurrently submit to the county planning commission, in the manner provided in section 39(3), a statement that the requirements of subdivision (a) have been met or, if there is no county planning commission, shall submit to the county board of commissioners, in the manner provided in section 39(3), a statement that the requirements of subdivisions (a) and (d) have been met. The statement shall be signed by the secretary and shall include the name and address of each planning commission or legislative body to which a copy of the proposed master plan was submitted under subdivision (a) or (d), as applicable, and the date of submittal.

(f) For any local unit of government proposing a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and address for this purpose with the secretary of the planning commission. An entity described in this subdivision that receives a copy of a proposed master plan, or of a final master plan as provided in section 43(5), shall reimburse the local unit of government for any copying and postage costs thereby incurred.

(g) If the proposed master plan is or includes a proposed master street plan, the county road commission and the state transportation department.

(3) An entity described in subsection (2) may submit comments on the proposed master plan to the planning commission in the manner provided in section 39(3) within 63 days after the proposed master plan was submitted to that entity under subsection (2). If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

(a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).

(b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3843 Proposed master plan; public hearing; notice; approval by resolution of planning commission; statement; submission of copy of master plan to legislative body; approval or rejection by legislative body; procedures; submission of adopted master plan to certain entities.

Sec. 43. (1) Before approving a proposed master plan, a planning commission shall hold not less than 1 public hearing on the proposed master plan. The hearing shall be held after the expiration of the deadline for comment under section 41(3). The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government. The planning commission shall also submit notice of the public hearing in the manner provided in section 39(3) to each entity described in section 39(2). This notice may accompany the proposed master plan submitted under section 41.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission or not less than a majority of the members of a township or county planning commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the master plan. A statement recording the planning commission's approval of the master plan, signed by the chairperson or secretary of the planning commission, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map. Following approval of the proposed master plan by the planning commission, the secretary of the planning commission shall submit a copy of the master plan to the legislative body.

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. A statement recording the legislative body's approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.

(4) If the legislative body rejects the proposed master plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed master plan. The planning commission shall consider the legislative body's objections and revise the proposed master plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until the legislative body approves the proposed master plan.

(5) Upon final adoption of the master plan, the secretary of the planning commission shall submit, in the manner provided in section 39(3), copies of the adopted master plan to the same entities to which copies of the proposed master plan were required to be submitted under section 41(2).

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3845 Extension, addition, revision, or other amendment to master plan; adoption; procedures; review and findings.

Sec. 45. (1) An extension, addition, revision, or other amendment to a master plan shall be adopted by following the procedure under sections 39, 41, and 43, subject to all of the following:

(a) Any of the following amendments to a master plan may be made without following the procedure under sections 39, 41, and 43:

(i) A grammatical, typographical, or similar editorial change.

(ii) A title change.

(iii) A change to conform to an adopted plat.

(b) Subject to subdivision (a), the review period provided for in section 41(3) shall be 42 days instead of 63 days.

(c) When a planning commission sends notice to an entity under section 39(2) that it intends to prepare a subplan, the notice may indicate that the local unit of government intends not to provide that entity with further notices of or copies of proposed or final subplans otherwise required to be submitted to that entity under section 39, 41, or 43. Unless the entity responds that it chooses to receive notice of subplans, the local unit of government is not required to provide further notice of subplans to that entity.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3847 Part of county master plan covering incorporated area; adoption by appropriate city or village required; exception.

Sec. 47. (1) Subject to subsection (2), a part of a county master plan covering an incorporated area within the county shall not be recognized as the official master plan or part of the official master plan for that area unless adopted by the appropriate city or village in the manner prescribed by this act.

(2) Subsection (1) does not apply if the incorporated area is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3849 City or village planning department; authority to submit proposed master plan, or proposed extension, addition, revision, or other amendment.

Sec. 49. (1) This act does not alter the authority of a planning department of a city or village created by charter to submit a proposed master plan, or a proposed extension, addition, revision, or other amendment to a master plan, to the planning commission, whether directly or indirectly as provided by charter.

(2) Subsection (1) notwithstanding, a planning commission described in subsection (1) shall comply with the requirements of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3851 Public interest and understanding; promotion.

Sec. 51. (1) To promote public interest in and understanding of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.

(2) A planning commission shall consult with and advise public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens concerning the promotion or

implementation of the master plan.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE IV.

SPECIAL PROVISIONS, INCLUDING CAPITAL IMPROVEMENTS AND SUBDIVISION REVIEW

125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.

Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership for a township that on the enactment date of this act had a planning commission created under former 1931 PA 285, or for a city or village, or by a vote of not less than a majority of its membership for any other township. If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.

(2) Following adoption of the county plan or any part of a county plan and the certification by the county planning commission to the county board of commissioners of a copy of the plan, work shall not be initiated on any project involving the expenditure of money by a county board, department, or agency for the acquisition of land, the erection of structures, or the extension, construction, or improvement of any physical facility by any county board, department, or agency unless a full description of the project, including, but not limited to, its proposed location and extent, has been submitted to the county planning commission and the report and advice of the planning commission on the proposal have been received by the county board of commissioners and by the county board, department, or agency submitting the proposal. However, work on the project may proceed if the planning commission fails to provide in writing its report and advice upon the proposal within 35 days after the proposal is filed with the planning commission. The planning commission shall provide copies of the report and advice to the county board, department, or agency sponsoring the proposal.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3863 Approval of construction project before effective date of act; rescission of authorization; failure of planning commission to act within certain period of time.

Sec. 63. If the opening, widening, or extension of a street, or the acquisition or enlargement of any square, park, playground, or other open space has been approved by a township planning commission that was created before the effective date of this act under former 1931 PA 285 or by a city or village planning commission and authorized by the legislative body as provided under section 61, the legislative body shall not rescind its authorization unless the matter has been resubmitted to the planning commission and the rescission has been approved by the planning commission. The planning commission shall hold a public hearing on the matter. The planning commission shall submit its reasons for approval or disapproval of the rescission to the legislative body. If the planning commission disapproves the rescission, the legislative body may overrule the planning commission by a vote of not less than 2/3 of its entire membership. If the planning commission fails to act within 63 days after submission of the proposed rescission to the planning commission, the proposed rescission shall be considered to be approved by the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3865 Capital improvements program of public structures and improvements; preparation; basis.

Sec. 65. (1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program

shall show those public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.

(2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3867 Programs for public structures and improvements; recommendations.

Sec. 67. A planning commission may recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof, regardless of whether the planning commission is exempted from the requirement to prepare a capital improvements program under section 65.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3869 Copy of zoning ordinance and amendments; request by county planning commission for submission by municipal planning commission.

Sec. 69. If a municipal planning commission has zoning duties pursuant to section 83 and the municipality has adopted a zoning ordinance, the county planning commission, if any, may, by first-class mail or personal delivery, request the municipal planning commission to submit to the county planning commission a copy of the zoning ordinance and any amendments. The municipal planning commission shall submit the requested documents to the county planning commission within 63 days after the request is received and shall submit any future amendments to the zoning ordinance within 63 days after the amendments are adopted. The municipal planning commission may submit a zoning ordinance or amendment under this subsection electronically.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3871 Recommendations for ordinances or rules governing subdivision of land; public hearing; notice; action on proposed plat; approval, approval with conditions, or disapproval by planning commission; approval of plat as amendment to master plan.

Sec. 71. (1) A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, the county planning commission may recommend to the legislative body of the municipality provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. A planning commission may proceed under this subsection on its own initiative or upon request of the appropriate legislative body.

(2) Recommendations for a subdivision ordinance or rule may address plat design, including the proper arrangement of streets in relation to other existing or planned streets and to the master plan; adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air; and the avoidance of congestion of population, including minimum width and area of lots. The recommendations may also address the extent to which streets shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of a plat.

(3) Before recommending an ordinance or rule described in subsection (1), the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government.

(4) If a municipality has adopted a master plan or master street plan, the planning commission of that municipality shall review and make recommendations on plats before action thereon by the legislative body under section 112 of the land division act, 1967 PA 288, MCL 560.112. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL

124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, and the municipality has adopted a master plan or master street plan, the county planning commission shall also review and make recommendations on plats before action thereon by the legislative body of the municipality under section 112 of the land division act, 1967 PA 288, MCL 560.112.

(5) A planning commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

(6) A planning commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the planning commission. If applicable standards under the land division act, 1967 PA 288, MCL 560.101 to 560.293, and an ordinance or published rules governing the subdivision of land authorized under section 105 of that act, MCL 560.105, are met, the planning commission shall recommend approval of the plat. If the planning commission fails to act within the required period, the plat shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the planning commission upon request of the proprietor. However, the proprietor may waive this requirement and consent to an extension of the 63-day period. The grounds for any recommendation of disapproval of a plat shall be stated upon the records of the planning commission.

(7) A plat approved by a municipality and recorded under section 172 of the land division act, 1967 PA 288, MCL 560.172, shall be considered to be an amendment to the master plan and a part thereof. Approval of a plat by a municipality does not constitute or effect an acceptance by the public of any street or other open space shown upon the plat.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE V. TRANSITIONAL PROVISIONS AND REPEALER

125.3881 Plan adopted or amended under planning act repealed under MCL 125.3885; effect; city or home rule village charter provision creating planning commission or ordinance implementing provision before effective date of act; ordinance creating planning commission under former law; ordinance or rules governing subdivision of land.

Sec. 81. (1) Unless rescinded by the local unit of government, any plan adopted or amended under a planning act repealed under section 85 need not be readopted under this act but continues in effect as a master plan under this act, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term. This includes, but is not limited to, a plan prepared by a planning commission and adopted before the effective date of this act to satisfy the requirements of section 1 of the former city and village zoning act, 1921 PA 207, section 3 of the former township zoning act, 1943 PA 184, section 3 of the former county zoning act, 1943 PA 183, or section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203. The master plan is subject to the requirements of this act, including, but not limited to, the requirement for periodic review under section 45(2) and the amendment procedures set forth in this act. However, the master plan is not subject to the requirements of section 33 until it is first amended under this act.

(2) Unless repealed, a city or home rule village charter provision creating a planning commission before the effective date of this act and any ordinance adopted before the effective date of this act implementing that charter provision continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, both of the following apply:

(a) The legislative body may by ordinance increase the powers and duties of the planning commission to correspond with the powers and duties of a planning commission created under this act. Provisions of this act regarding planning commission powers and duties do not otherwise apply to a planning commission created by charter before the effective date of this act and provisions of this act regarding planning commission membership, appointment, and organization do not apply to such a planning commission. All other provisions of this act, including, but not limited to, provisions regarding planning commission selection of officers, meetings, rules, records, appointment of employees, contracts for services, and expenditures, do apply to such a planning commission.

(b) The legislative body shall amend any ordinance adopted before the effective date of this act to implement the charter provision, or repeal the ordinance and adopt a new ordinance, to fully conform to the requirements of this act made applicable by subdivision (a), by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(3) Unless repealed, an ordinance creating a planning commission under former 1931 PA 285 or former 1945 PA 282 or a resolution creating a planning commission under former 1959 PA 168 continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, all of the following apply:

(a) Beginning on the effective date of this act, the duties of the planning commission are subject to the requirements of this act.

(b) The legislative body shall amend the ordinance, or repeal the ordinance or resolution and adopt a new ordinance, to fully conform to the requirements of this act by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(c) An ordinance adopted under subdivision (b) is not subject to referendum.

(4) Unless repealed or rescinded by the legislative body, an ordinance or published rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105, need not be readopted under this act or amended to comply with this act but continue in effect under this act. However, if amended, the ordinance or published rules shall be amended under the procedures of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3883 Transfer of powers, duties, and records.

Sec. 83. (1) If, on the effective date of this act, a planning commission had the powers and duties of a zoning board or zoning commission under the former city and village zoning act, 1921 PA 207, the former county zoning act, 1943 PA 183, or the former township zoning act, 1943 PA 184, and under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, the planning commission may continue to exercise those powers and duties without amendment of the ordinance, resolution, or charter provision that created the planning commission.

(2) If, on the effective date of this act, a local unit of government had a planning commission without zoning authority created under former 1931 PA 285, former 1945 PA 282, or former 1959 PA 168, the legislative body may by amendment to the ordinance creating the planning commission, or, if the planning commission was created by resolution, may by resolution, transfer to the planning commission all the powers and duties provided to a zoning board or zoning commission created under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702. If an existing zoning board or zoning commission in the local unit of government is nearing the completion of its draft zoning ordinance, the legislative body shall postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but is not required to postpone the transfer more than 1 year.

(3) If, on or after the effective date of this act, a planning commission is created in a local unit of government that has had a zoning board or zoning commission since before the effective date of this act, the legislative body shall transfer all the powers, duties, and records of the zoning board or zoning commission to the planning commission before July 1, 2011. If the existing zoning board or zoning commission is nearing the completion of its draft zoning ordinance, the legislative body may, by resolution, postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but not later than until 1 year after creation of the planning commission or July 1, 2011, whichever comes first.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3885 Repeal of certain acts.

Sec. 85. (1) The following acts are repealed:

(a) 1931 PA 285, MCL 125.31 to 125.45.

(b) 1945 PA 282, MCL 125.101 to 125.115.

(c) 1959 PA 168, MCL 125.321 to 125.333.

(2) Any plan adopted or amended under an act repealed under subsection (1) is subject to section 81(1).

History: 2008, Act 33, Eff. Sept. 1, 2008.



TAB 6
Master Plan



Master Plan Key Milestone Dates:

- May 30th, Survey is released to Residents
- June 1st – 16th, Survey Data to be returned
- June 17th – 30th, Survey Results reviewed and summarized via links with Network Northwest
- July, August, and September, Begin public workshops

Master Plan Progress and Resident Survey:

Whitewater Township Master Plan

*WORKING DRAFT -
CHAPTERS 1-4 (APRIL, 2023)*

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Acknowledgement Page

Approval Dates / Adopting Resolution

This Master Plan is a forward-looking document that describes the desired direction for community development in Whitewater Township. It considers local history, current conditions, and trends, then looks forward, establishing a long-range vision for growth, redevelopment, and preservation. This vision is inspired by, and is the product of, substantial community engagement and public input.

With the long-range vision for community development, specific implementation steps are carefully developed. These steps include development policies, action initiatives, and zoning recommendations. When implemented, these steps will guide construction, redevelopment, and preservation efforts toward desired community goals.

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Introduction

The places where we live do not stay the same. Fundamentally, this is because the numbers and characteristics of residents generally change over time. Populations grow or shrink as people are born, die, and move in and out of communities. At the same time, residents transition through different stages of life, from dependent children to middle age, to older adults. These changes drive demand for numbers and types of housing units in an area, commercial needs, employment opportunities, and public services. With these demographic changes, the physical environment also changes. Buildings are built or repurposed, transportation systems develop or improve, and more complete public facilities are provided in response to evolving needs.

Sometimes physical change is nearly imperceptible, and sometimes it is dramatic and hard to miss, especially over a long time. The following chapter provides a brief historical overview of Whitewater Township. The community just a few generations ago is so much different than the community we live in today. Change is fueled by advancements in transportation, technology, socioeconomic trends, and even larger regional forces, as communities are almost always part of larger regions with important characteristics and dynamics.

Community master plans are fundamentally about understanding this change and charting a desired course forward. Creating this understanding generally begins with an educational and discovery element in Master Plans. Most importantly, however, the emphasis should be on articulating a long-term

and comprehensive perspective of what people want the future to look like. This Master Plan provides a vision for the future grounded in public engagement. It aims to speak authoritatively about what Whitewater Township residents hope for in the future regarding community development.

It is essential also to recognize that while completing a Master Plan is an important goal, it represents more of a milestone in the ongoing story of community development and redevelopment. This is not the first Master Plan update for Whitewater Township and is unlikely to be the last. Community planning is a forward-looking process that revisits established planning issues and helps identify new ones with fresh community engagement and participation. It also affords consideration of old and new issues with updated information about current conditions and trends.

Whitewater Township (and the larger region) is much different today than in 2015. Notably, the COVID pandemic began in 2020 and has helped fuel new community development trends. These include the growth in remote work options allowing people to live where they wish, as they are less tied to an office or other physical place than before. These and other considerations (to be discussed later) will likely have a lasting impact on Whitewater Township.

Legal Context

Apart from helping to satisfy the basic desire to plan for the future and provide a direction for community change, there is an important legal dimension

to Master Plans. More than a dozen states require a local Master Plan (also called a comprehensive plan), and others encourage it in various ways. Michigan's controlling statute is the Michigan Planning Enabling Act (MPEA) of 2008. This act consolidated older, related planning statutes and defined basic requirements and procedures for developing a Master Plan in Michigan communities. One significant legal aspect of the MPEA is the connection between the Master Plan and zoning. The MPEA requires steps to reconcile proposed land use categories in the master plan with existing zoning districts in the zoning ordinance. Additionally, the Michigan Zoning Enabling Act of 2006 (Section 125.3203) similarly connects to the Master Plan by explicitly stating that a zoning ordinance shall be based on a plan designed to promote public health, safety, and general welfare.

Content

While MPEA is generally silent regarding the process and steps by which a community gathers information and pursues citizen engagement as it develops a Master Plan, it does describe several elements to be included. While not an all-inclusive list, some major content-related issues include the following (Sections 125.3831 and 125.3833):

- Making careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation to neighboring jurisdictions.
- Consulting with representatives of adjacent local government units to avoid conflicts in Master Plans and zoning.

- Cooperation with state and federal governments, public transportation agencies, and other public agencies concerned with economic, social, and physical development.
- Addressing land use and infrastructure issues, projecting 20 years or more into the future.
- Developing maps, plats, charts, and descriptive, explanatory, and other related matters showing recommendations for physical development.
- A land use plan that classifies and allocates land for various purposes.
- All components of a transportation system and their interconnectivity (considering all legal users of the public right-of-way).
- Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.
- A zoning plan for various zoning districts that control the height, area, bulk, location, and use of buildings and premises. The zoning plan explains how the land use categories on the future land use map relate to the districts on the zoning map.
- Recommendations for implementing Master Plan proposals.

*For a full description of required content see:
The Michigan Planning Enabling Act, Act 33 of 2008*

One significant legal aspect of the MPEA relates to the connection between the master plan and zoning. The MPEA requires steps to reconcile proposed land use categories in the master plan with existing zoning districts found in the zoning ordinance.

Master Plan

Related Local Planning

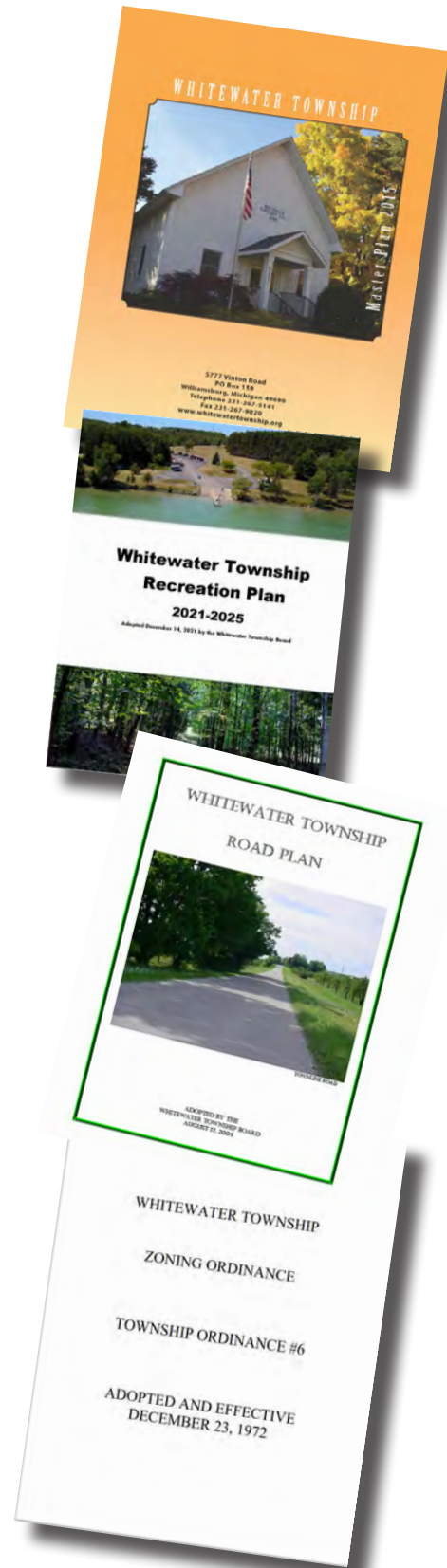
This Master Plan updates and replaces the 2015 Whitewater Township Master Plan. It provides a substantial amount of new information, along with updated goals, vision, and implementation steps.

Like many Michigan communities, Whitewater Township has a Recreation Plan. It was adopted on December 14, 2021. It is a 5-year plan (2021-2025) with content that reflects requirements set forth by the Michigan Department of Natural Resources to secure and maintain grant eligibility. It describes Whitewater Township and provides a recreational inventory, action plan, and capital improvements schedule related to park improvements. This Master Plan is therefore largely silent on Park and Recreation issues.

Finally, Whitewater Township has a Road Plan adopted in 2004. This document is discussed in Chapter 3.

Relationship Between A Master Plan And The Zoning Ordinance

Sometimes there can be confusion between a community's Master Plan and its Zoning Ordinance. It should be clear that a Master Plan does not directly set forth legal requirements for public or private development. Rather, it provides the rationale and reasoning behind existing zoning and related land use controls. It also frequently recommends updating a zoning ordinance to respond to evolving land use needs and community desires. For example, a Master Plan may identify the need to provide a greater mix of housing types based on community input and related data. The Master Plan might also identify regulatory barriers to achieving a desired housing mix and may identify the need for zoning amendments to accomplish desired goals. Steps to amend the zoning ordinance would follow adopting a new Master Plan as an implementation step. The zoning language developed afterward would contain all required details, such as dimensional standards, use regulations, and development review procedures. The planning process associated with a Master Plan could also identify local environmental issues related to land development and recommend regulatory measures to prevent further problems. The recommended actions in the Master Plan are typically general but are followed by developing and adopting specific regulations.



The planning process to develop this Master Plan update followed a logical pattern of discovery about Whitewater Township's past and present. Much of this discovery process occurred in the winter and spring of 2023.

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Chapter 1 - Introduction

2

Historic Context

Before beginning to consider the current or future characteristics of Whitewater Township, it makes sense to review local history. Many previous generations have called Whitewater Township home, and their stories and past milestones give insight into why some of the features we see today are as they are. The 2015 Master Plan provided considerable historical information expanded upon below.

Historical information is provided for three reasons. First, some historical facts may come as a surprise to some who are less familiar with the area. In the past, Williamsburg was far more of a commercial hub than it is today. Secondly, looking back at history helps draw attention to how communities change over time. Buildings are built and torn down, roads move, technology advances, and social behavior changes. Thirdly, historical material provides context and understanding from which we can look at current and future conditions. Understanding what came before expands our understanding of the present character of Whitewater Township. It also suggests a sense of place that is uniquely Whitewater Township. Whitewater Township is unique partly because of its history.

"When our grandparents came in the 1850's, Whitewater Township was a wilderness covered with huge pine and hemlock. Many white pine were three and four feet through and some even five feet. These were also beech, maple, elm, oak and birch with a few basswood, also cedar and tamarack in the swamps."

Rob's Recollections, An Early History of Whitewater Township and Skegemog Point Grand Traverse County, Michigan By Robert Lucius Samels

Native American History

Archaeologists theorize that five or six different cultures of people have occupied the area of the Township around Skegemog Point beginning approximately 10,500 BC. Before the white settlers in the area, the Mascoutin (or "People of the Open Prairie"), a branch of the Algonquin Tribe, lived in the area until the 1630s, followed by the Chippewa and Ottawa Indian Tribes. The majority of Native Americans were moved north to a reservation after 1857.

Early European Settlers

Following Father Baraga's mapping of the area between 1830-1840, the Government Survey of 1850 was completed and the

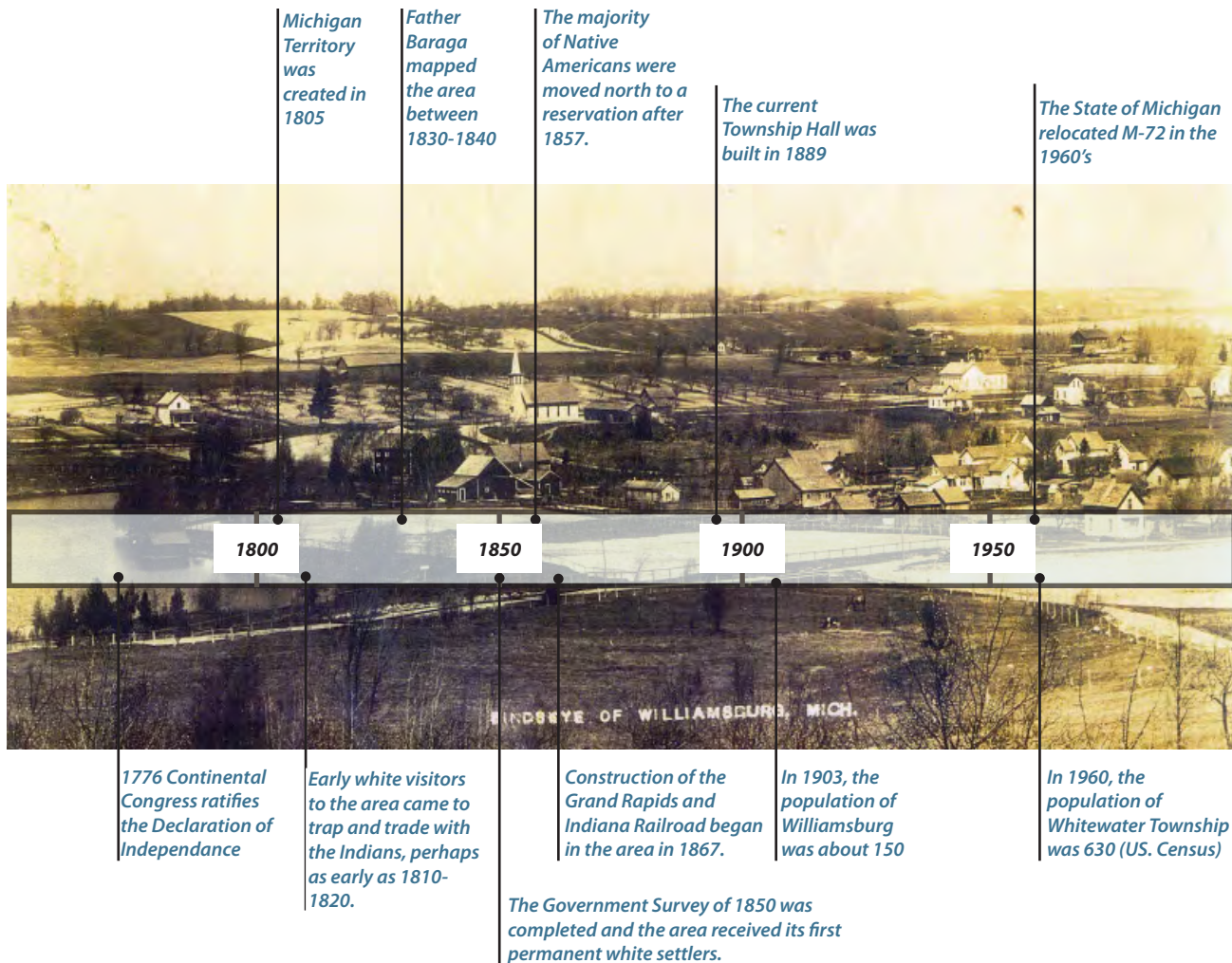


This monument is found at Hi-Pray Park honoring the early pioneers of Whitewater Township of 1856 (Langworthy, Cox, Gay, Scofield).

area received its first permanent white settlers. Amon Langworthy, George Brown, and William H. Fife (who later became the Township's first supervisor) came in 1854, Joseph Sours in 1855, H. S. Beach in 1856, and J. M. Merrill in 1858. At "Hi" Pray Park, a stone memorializes the Williamsburg pioneers of 1856.

Before construction of roads and railroads in the area, supplies came by boat from Elk Rapids on Elk and Round (today known as Skegemog Lake) Lakes and were transported cross-country to the Williamsburg area.

Some General Historic Milestones



The area of Williamsburg was originally part of a large county called Michilimackinac and was the largest settlement in the area. In 1859, Whitewater Township became the third township in the county, after Peninsula and Traverse. It covered the area from Elk Lake to Grand Traverse Bay.

Williamsburg was the fourth name assigned to the emerging town. Three former names proposed included Cedar Rapids, the Mill or Scofield's Mill, and Dunbar. Finally, Williamsburg was proposed and approved by the Postal Service beginning in 1856.

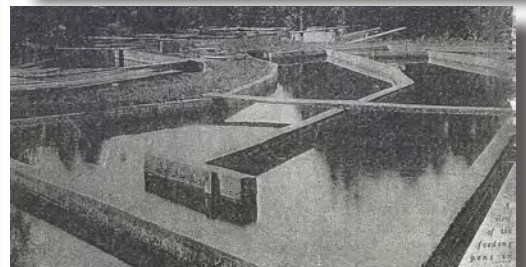
The current Township Hall was built in 1889 on land donated by David Vinton, Jr. and is still in use today. Before the ceiling was lowered, plays were also performed in this building, as well as basketball games.



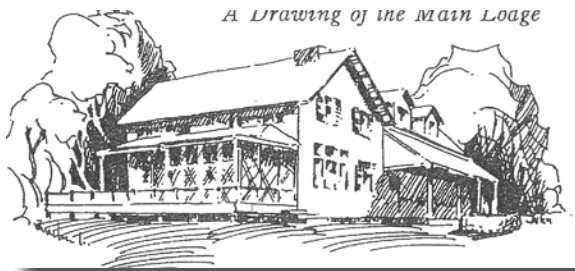
In 1903, the population of Williamsburg was about 150. With agriculture on the rise, the town contained a store, hotel, blacksmith shop, sawmills, gristmill, grange hall, Township Hall, a Methodist-Episcopal Church, and was home to seven schools. By the 1930's the population was 460.

The Grist Mill was an important feature in the area before it was torn down in about 1915. It was built at the end of the civil war. John H. Bissell, a Detroit area attorney, owned the pond.

Another prominent feature in Williamsburg between 1890 and 1940 was a large fish hatchery and fishing lodge. The Charles M. Greenway's estate called "Weesh-Ko-Wong," meaning "clear cold water," was a large and notable fish hatchery. Numerous springs fed the pond (also known as Bissell's Pond). Famous for his brook and rainbow trout fingerlings, he also tried repopulating the grayling, a native fish decimated by logging and non-native trout species in Michigan. During one year, the hatchery sold 65,000 brook trout, and the egg capacity was one

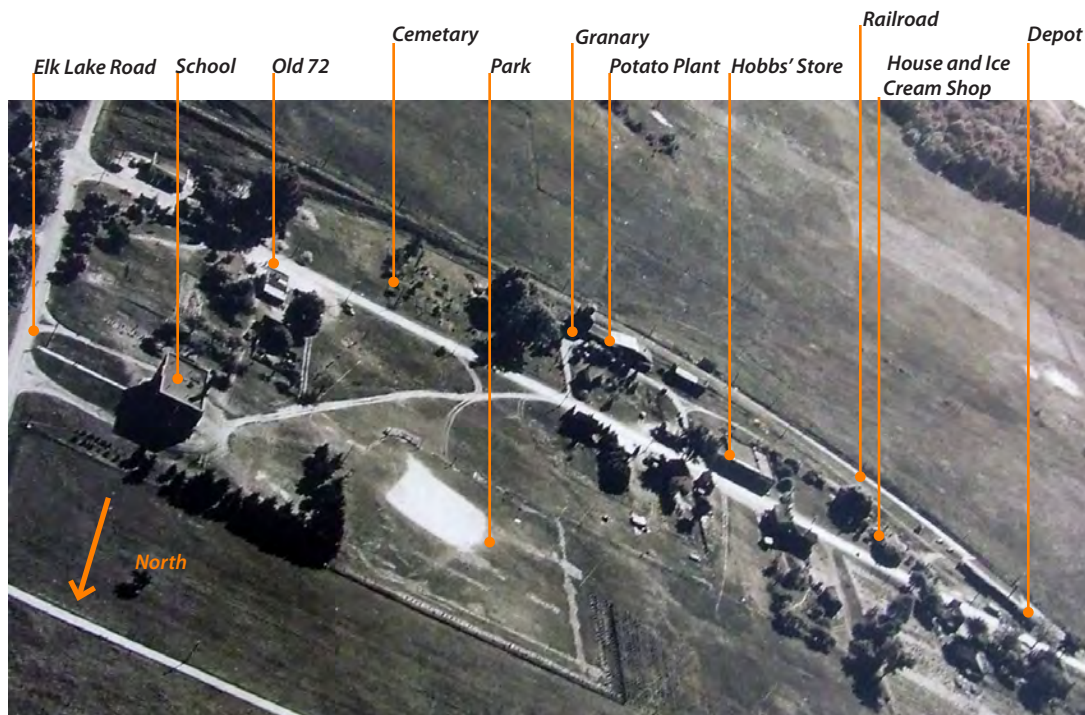


million eggs per season. The fishing lodge had accommodations for about eleven people, including bathrooms, a kitchen, a living room, laundry, and a dining room.



Williamsburg expanded in the early 1900s with new construction that followed the railroad construction in the 1890s. To the north, along Old 72, businesses included a granary, ice cream shop, mercantile & farm implement store (Hobbs Store), and other establishments. Development activity also included a school and park (Hi-Pray Park today), as shown below.

Buildings Along Old M-72



Master Plan



South of Old 72, other commercial activity existed. Specifically, the Charles Will Hardware Store was located on Vinton Street (nearly across from the Township Hall). Unfortunately, this establishment (along with others) burned down. The house that can be seen north of the hardware store was owned by Charles Will and still stands today.



Just south of the Charles Will Hardware Store was an area called "The Corners." This area was located at the corner of Church Street and Vinton Road. An ice cream shop existed here, along with a grocery store and dry goods store.

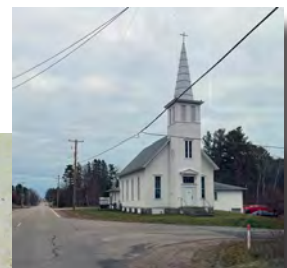


Church Street - Looking East Toward Vinton St.



Intersection of Church Street and Vinton St.

Perhaps the most prominent building south of Old 72 was the Church built at the intersection of Williamsburg Road and Church Street. This Church was originally built in _____. It has been added on to and altered, but still stands intact today.



Like everywhere in America, the 1960s changed Williamsburg and its 630 residents. The State of Michigan relocated M-72, bisecting the town, and the last railroad steam engine traveled the tracks. The Williamsburg Consolidated School became a part of the Elk Rapids School District. The gymnasium remained, hosting community events and well-known dances attended by people from miles around well into the decade.



Transportation History

Along with the relocation of M-72, transportation has been an important factor for many years. Before the invention of the automobile in the late 1800s, and its growing popularity in the early 1900s, people traveled by boats, horse, and railroads. In the late 1870s through the early 1900s boats moved passengers and goods across the Great Lakes and within the interconnected system of rivers and lakes known as the Chain of Lakes. The Chain of Lakes is a 75-mile-long waterway that includes 14 lakes and connecting rivers that connect Elk Lake and Michigan's West Grand Traverse Bay with communities northeast of Whitewater Township such as Bellaire, Central Lake, and Elsworth. Historically, this waterway was used to transport logs to sawmills. Today, transportation is oriented toward recreational boat traffic and the Chain of Lakes is a popular tourist destination with seasonal and year-round homes along the shorelines. It is even officially defined as a water trail for kayaking, paddle boarding, and canoeing (see www.michiganwatertrails.org).



In the 1890s, railroads began serving the area, moving passengers, logs, agricultural products, and other goods. A train station was built in Williamsburg, along with a water tower to support the needs of the steam engines. As reliance on private motor vehicle transportation grew in the early parts of the 1900s, demand for rail service declined. Today, the rails and rail beds are still visible in Williamsburg (just a few hundred feet west of the Williamsburg Post office on Old M 72). This same rail bed extends westward behind the Turtle Creek Casino toward Acme and crosses M 72 at Bates Road. South of Bates Road, the railroad right-of-way includes a paved recreational trail that is part of the regional TART Trail system.

With growing numbers of auto and truck traffic in the last 100 years or so, the road network of Whitewater Township evolved from trails to paved roadways. In the early years, instead of paying taxes for road maintenance, people would work a certain number of days on the road, according to the amount of land they owned. A highway commissioner was elected and called the Pathmaster. The Pathmaster would make sure each settler did their allotted time on the roads.

M 72 is the busiest road in Whitewater Township today. It is a state trunkline highway that was first designed as a state highway in 1919. It has evolved over the years to be one of three state highways that crosses the Lower Peninsula from Lake Michigan to Lake Huron. The development of M 72 as an important state route has included bypasses and routing to avoid denser and more populated areas, allowing for higher traffic speeds and heavier traffic volumes.

Other Places and People

Mabel

A little town known as Mabel existed east of Williamsburg. At one time, Mabel had a post office, store and sawmill. A sign drawing attention to the Mabel is still visible along the North side of M 72.



Samels Farm:

William and Mariam (Watson) Samels moved to the Williamsburg area from Bruce Mines, Canada, in 1855 to begin farming. Frank Samels was the third son and fifth child of William and Miriam. Frank purchased 64 acres at the end of Skegemog Road in 1889, built a farmstead and raised a family of four sons.



Photo courtesy of Samels Family Heritage Society

Native American artifacts were found on the site, and archaeologists discovered the remains of an entire woodland village along the Skegemog shoreline. The Samels farm was placed on the National Register of Historic Places in 1972 (one of 13 sites in Grand Traverse County). The Samels Family Heritage Society was formed in 2003 to help preserve the site and educate visitors about local history. Events at the Samels Farm during 2022 included a blacksmith class, farm work bee, quilting workshop, photography workshop, dances and gatherings.



Photo courtesy of Samels Family Heritage Society

Hi Pray

Hilan (Hi) Pray, was born in 1909, and spent his early life in the Williamsburg area. He attended school in Williamsburg and graduated from Traverse City Central High School. He was the captain of the baseball team at Western Michigan University and taught school for a number of years. He also coached baseball and basketball. He played semi-pro baseball as a pitcher in both the Frankfort and Traverse City areas for a number of years. He was employed by the United States Postal Department.



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3

Present Conditions of Whitewater Township

The Michigan Planning Enabling Act requires Planning Commissions to conduct careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction, with due regard for relationships to neighboring jurisdictions. This Chapter breaks down various features and characteristics of Whitewater Township to help understand current and potential community development challenges.

Regional Context

Whitewater Township is part of a larger region, and the characteristics of this larger region significantly influence community development. Regions can be defined in multiple ways, but the fact that Whitewater Township is located in Grand Traverse County, just east of Traverse City is important from many standpoints. Three important considerations in terms of regional context include 1) growth pressure, 2) the presence of tourism and numbers of seasonal residents, and 3) major nearby development in Acme Township to the west.

Important considerations in terms of regional context include:

- 1) Growth pressure**
- 2) Tourism and seasonal residents**
- 3) Nearby development**

Growth Pressures

First and foremost, there is the issue of growth pressure. More population information will be provided later, but it is important to recognize that, unlike many Michigan counties with a more or less stable population, Grand Traverse County has been growing. In the last decade (2010-2020), Grand Traverse County grew by about 10 percent, while the State of Michigan grew by less than 2 percent (between 2000 and 2010, Michigan was the only state to lose population).

Tourism & Seasonal Residents

While the growth rate for permanent residents in the larger region is important, tourists and seasonal residents should also be considered in ways that are unique to this area and in terms of impact on community development. Networks Northwest found that the current permanent population of Grand Traverse County of about 95,000 swells to about 161,000 when seasonal residents (mostly June, July, and August) are accounted for (see Seasonal Population Study for Northwest Lower Michigan, published October 2022). This seasonal population is drawn to area attractions (outdoor activities, wineries, restaurants, etc.) and accommodated in short-term rentals, hotels, and motels.

Available evidence suggests that the trend toward more seasonal residents will continue. According to the Traverse City Ticker (www.traverseticker.com - November 19, 2022), eight new hotels are in the

The Traverse City region is an attractive destination in many respects. Manmade and natural features in the area draw both tourists and people who wish to become seasonal or full-time residents. Evidence of the attractiveness of the area is found in national and even international rankings. Some recent examples found on the Traverse City Tourism website include:

- *The 23 Best Places to Go in the U.S. in 2023 (December 2022) - Condé Nast Traveler*
- *12 Best Places to Buy a Lake House in the U.S. (November 2022) - Travel & Leisure*
- *The Best Ski Resorts in the U.S./Crystal Mountain (October 2022) - U.S. News & World Report*
- *Premier Affordable Area to Retire in the US (August 2022) - Herald Review (Realtor.com)*
- *8 Most Charming Towns in the U.S. for a Fall Getaway (August 2022) - Best Life*
- *USA Today Best Winery Hotel-Readers' Choice 2022/Chateau Chantal (August 2022) - USA Today*
- *The Most Accessible National Parks in the U.S./Sleeping Bear Dunes National Lakeshore (July 2022) - Condé Nast Traveler*
- *Every State's Top Fourth of July Show (July 2022) - Travel Pulse*
- *7 of the Most Outdoorsy Cities in the U.S. (June 2022) - Trip Trivia*
- *7 Secret Beaches that are Worth the Trip to Get There (May 2022) - Morningstar*
- *The Most Beautiful Place in Each State (May 2022) - Travel & Leisure*
- *10 of the Best Scenic Drives in U.S. National Parks (May 2022) - Trip Trivia*
- *6 Great US Wine Regions You Haven't Visited Yet and Should in 2022 (April 2022) - Lonely Planet*
- *8 Pro Traveler's Best Road Trip Ideas (April 2022) - AARP*
- *8 Unexpected US Foodie Destinations (March 2022) - Lonely Planet*
- *Midwest Living's Best of the Midwest Winners 2022 (February 2022) - Midwest Living*
- *Top 50 Beaches in the US for 2022/Sleeping Bear Dunes (January 2022) - Randall "Mr. Beach" Kaplan*
- *8 Charming Great Lake Beach Towns (January 2022) - World Atlas*
- *22 Places You Need to Travel to in 2022 (January 2022) - Matador Network*

Source: <https://www.traversecity.com/meetings/media/accolades/>

development pipeline in the area that will add nearly 800 new rooms to the local hotel room inventory (a 20 percent increase over the 4,000 now available).

Another dimension to the seasonal attributes of the region is the Flintfields Horse Park to the west in adjacent Acme Township. The Flintfields Horse Park sits on 130 acres and is a top equestrian destination in North America. Major events begin in June and conclude in September. The impact of this facility is felt as patrons of Flintfields seek local accommodations for extended periods and seek goods and services during their stay. A prime example is the fact that Whitewater Township will soon have two new veterinary clinics on M 72, which undoubtedly will help support the Flintfields Horse Park.

Nearby, Turtle Creek Casino, and the Grand Traverse Resort and Spa also draw many visitors from near and far. The Turtle Creek Resort just underwent a renovation project of its 137 guest rooms. The Grand Traverse Resort and Spa in Acme Township includes 579 hotel rooms, spa, dining, golf, and a conference center.

Major Nearby Development

Slightly more than two miles west of Whitewater Township is the Grand Traverse Town Center development along the south side of M-72. This controversial development was initially proposed in 2004 as a mixed-use development. It includes 182 acres. Planned uses included retail, hotel, civic spaces, housing (multifamily, townhouses, row houses, senior housing, and single-family) and other uses. In 2015, Meijer opened its doors to a 195,000-square foot supercenter as part of this development. The much larger balance of the area has been improved with internal roads, street lighting, walkways, and utilities, but it is currently undeveloped. The

significance of this development to planning in the area is that the large undeveloped portions of Grand Traverse Town Center development represent more or less “shovel-ready” construction sites. This inventory of sites may help meet the growing demand for new building spaces in the area.

Organization and Geography

Whitewater Township is one of 1,240 townships in Michigan. Township government is a common form of government in the Midwest that generally serves rural areas. Often, townships are 36 square miles in size (6 miles by 6 miles), but they can vary in size for several reasons. As a local government, townships are often regarded being “closest to the people” and

most responsive to local needs. The legal framework within which Michigan Townships operate is established primarily by State law (Michigan Compiled Laws or (MCL)). The elected officials who serve residents include a supervisor, clerk, treasurer, and two trustees (in some cases four trustees). Under Michigan law, townships can be “general law” townships, or “charter townships,” with additional governmental powers. Three townships in Grand Traverse County are charter townships and they include Garfield, East Bay and Long Lake. Whitewater Township is a General Law (or Civil) Township operating under Chapter 41 of the MCL.



Williamsburg is an unincorporated place. Unlike cities and villages incorporated under state law as a distinct local government unit with elected officials and legislative powers, Williamsburg is an identified place with a historically denser development pattern and a postal zip code. Whitewater Township is the relevant local government applicable to Williamsburg.

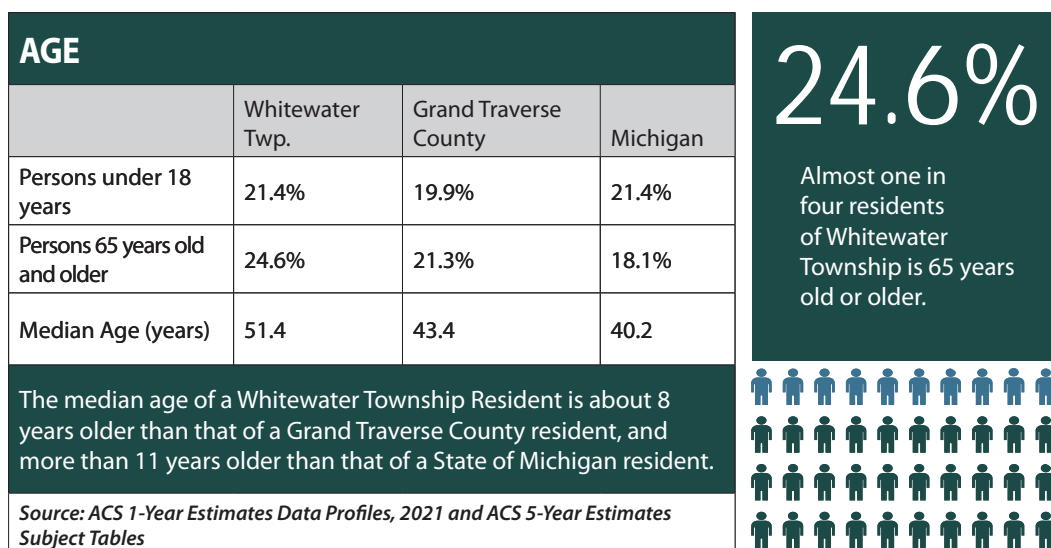


Geography

Whitewater Township is part of Grand Traverse County and next to Kalkaska County. It is almost midway between Traverse City and Kalkaska. The northern edge of Whitewater Township abuts Antrim County. Whitewater Township is larger than many Michigan Townships as it includes more than 53 square miles. Almost 6 square miles of Whitewater Township includes Elk Lake.

Demographics

Community demographics provide insight and understanding of the people who call Whitewater Township home. While the following statistics provide only a generalized view of local residents, this information helps create a profile that provides more understanding of the community and potential preferences. To provide greater meaning to Whitewater Township statistics, comparisons to other areas are also provided to provide context and contrasts.



INCOME (2021 Est.)

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

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

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

\$75,685

Household incomes are generally higher in Whitewater Township.

"Mean" refers to the average of a set of values.

"Median" refers to middle number in a sorted list of numbers

HOUSEHOLDS

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

Residents of Whitewater Township live in somewhat larger households.

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

90.7%

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



YEAR HOMES WERE BUILT (PERCENT OF OCCUPIED UNITS)

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

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

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

Educational Attainment

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

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

25.4%

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

Labor Force By Industry

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

Source: 2021 5-Year Estimates Data Profiles

Other Labor Force Characteristics

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

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

26.7

Minutes to get to work

Workers in Whitewater Township generally travel further for employment.

Lifestyle Characteristics

Beyond basic demographics is a range of socioeconomic characteristics that suggest certain lifestyles and behavior. Considerable research often goes into understanding lifestyles for sophisticated business locational decisions. Such analysis is not needed to support a Master Plan, but it is helpful to briefly look at available information about resident lifestyles that can be associated with an area. One source of this data type is from ESRI, which classifies neighborhoods nationwide into 67 unique segments (Tapestry Segments) based on demographics and socioeconomic characteristics. This data is available by ZIP Code. The Whitewater Township zip code is 49690, and while this zip code extends beyond Whitewater Township itself (west to East Bay and east into Kalkaska County), it covers Whitewater Township for the most part.

Three tapestry segments dominate the zip code and include the following:

Cozy Country Living - Green Acres (37.45%)

The Green Acres lifestyle features country living and self-reliance. Avid do-it-yourselfers, they maintain and remodel their homes with all the necessary power tools to accomplish the jobs. Gardening, especially growing vegetables, is a priority, again with the right tools, tillers, tractors, and riding mowers. Outdoor living features a variety of sports: hunting and fishing, motorcycling, hiking and camping, and even golf. Other traits include:

- Primarily (not exclusively) older homes with acreage;
- Residents pursue physical fitness vigorously, from working out on home exercise equipment to playing various sports.
- Residents are active in their communities and a variety of social organizations, from charitable to veterans' clubs.
- They are cautious consumers with a focus on quality and durability.
- An older market, primarily married couples, most with no children.



Cozy Country Living - Rural Resort Dwellers (30.62%)

Although the Great Recession forced many owners of second homes to sell, Rural Resort Dwellers remain an active market, just a bit smaller. These communities are centered in resort areas, many in the Midwest, where the change in seasons supports various outdoor activities. Retirement looms for many of these blue-collar, older householders, but workers are postponing retirement or returning to work to maintain their current lifestyles. Workers are traveling further to maintain employment. They are passionate about their hobbies, like freshwater fishing and hunting. Other traits include:

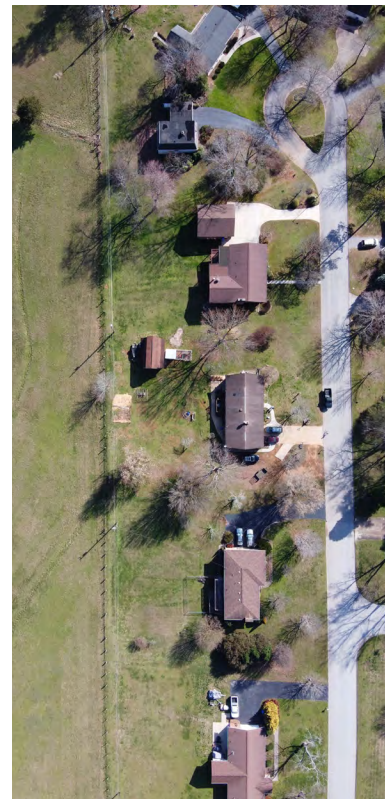
- Housing is owner-occupied, single-family homes, with some mobile homes. A strong market for second homes, these rural areas contain homes valued near the US median.
- Rural Resort Dwellers residents are close to retirement. They've accumulated wealth and begun to shift their portfolios to low-risk assets.
- Residents drive older domestic vehicles and prefer to spend their disposable income on gear to support their hobbies, which include freshwater fishing, hunting, and motorcycling.



GenXurban Comfortable Empty Nesters (19.72%)

Residents in this large, growing segment are older, with nearly half of all householders aged 55 or older; many still live in the suburbs where they grew up. Most are professionals working in government, health care, or manufacturing. These Baby Boomers earn a comfortable living and benefit from years of prudent investing and saving. Their net worth is well above average. Many are enjoying the transition from child-rearing to retirement. They value their health and financial well-being. Other traits include:

- Married couples, some with children, but most without.
- Most households' income from wages or salaries, but a third also draw income from investments and retirement.
- Home maintenance a priority among these homeowners.
- Comfortable Empty Nesters residents are physically and financially active
- Residents enjoy listening to sports radio or watching sports on television.
- Physically active, they play golf, ski, ride bicycles, and work out regularly.



For more complete information see-
<https://www.esri.com/en-us/arcgis/products/data/data-portfolio/tapestry-segmentation>

General Landscape and Watersheds

Whitewater Township is unique because it offers a diverse landscape with man-made features built on natural terrain with lakes and streams. The land itself is the product of glacial activity. Geologists estimate that the last ice sheet receded from the area thousands of years ago, carving out the deep lakes and leaving rolling hills and sandy soils.

The topography of Whitewater Township is such that higher elevations are found to the south. Rainfall that does not soak into the ground or evaporates, flows into streams and creeks to Lake Michigan. Streams and creeks generally carry water northward into Elk Lake (and ultimately into the East Bay Grand Traverse Bay in Elk Rapids) or south to the Boardman River (and ultimately into the West Bay of Grand Traverse Bay near Downtown Traverse City).

Map 1 shows the topography of Whitewater Township. Darker shades illustrate higher elevations, while lighter ones show lower elevations. There is about 500 feet of elevation difference between the lowest areas and the highest areas.

Map 2 shows the watershed associated with the Boardman River in southern Whitewater Township. Water in the blue areas drains south, and west toward downtown Traverse City, where it empties into West Bay.

The Boardman River is noteworthy because it is among Michigan's top ten trout streams. It is also designated as one of sixteen Natural River systems in Michigan. Natural River designation includes requirements for how land within the river corridor can be used. This is accomplished through zoning requirements that apply to properties within the river corridor.

Substantial efforts are underway in the region to remove dams and return the Boardman River to a more natural state. According to the Great Lakes Fishery Trust, this dam removal project is the largest in Michigan's history and one of the most significant in the Great Lakes Basin. The benefits of dam removal and the return to natural conditions include restoring aquatic habitats and improved outdoor recreation opportunities. (see: <https://www.glft.org/the-boardman-ottaway-a-river-reborn/>)

Five Regions

Breaking down Whitewater Township's diverse natural and man-made landscape reveals at least five distinctive and unique regions that look, feel, and function differently from others. These areas uniquely combine natural characteristics with the presence (or absence) of human activity. The planning implications of this are explored in future chapters, but for introductory purposes, the following five regions of Whitewater Township are listed below, illustrated on **Map 3**, and subsequently described.

Region 1 - Northern Forests

Region 2 - Rural Agricultural

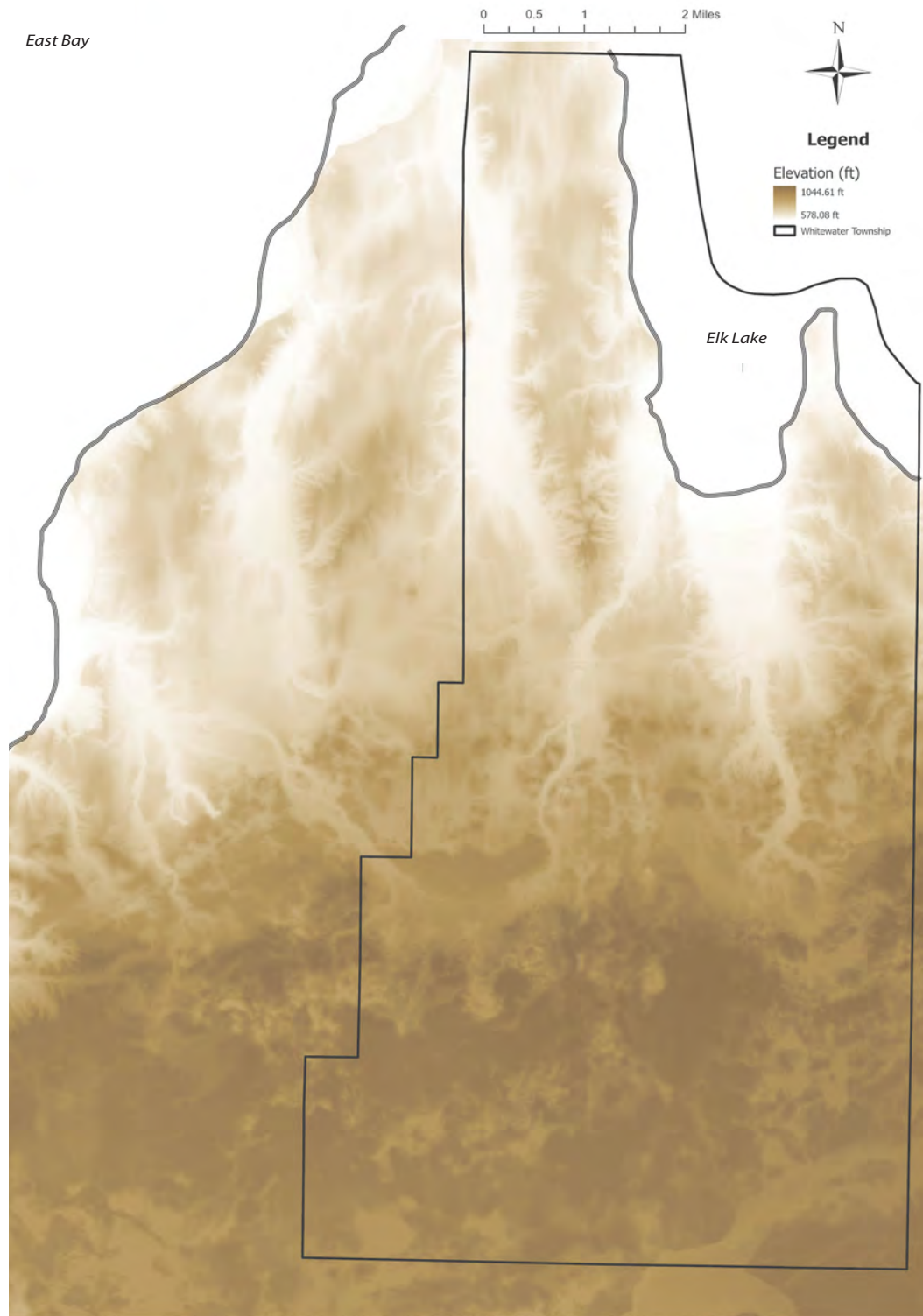
Region 3 - The M-72 Corridor.

Region 4 - Extensive Wetlands

Region 5 - Residential Lakeshores.

Map 1

Whitewater Township Topography



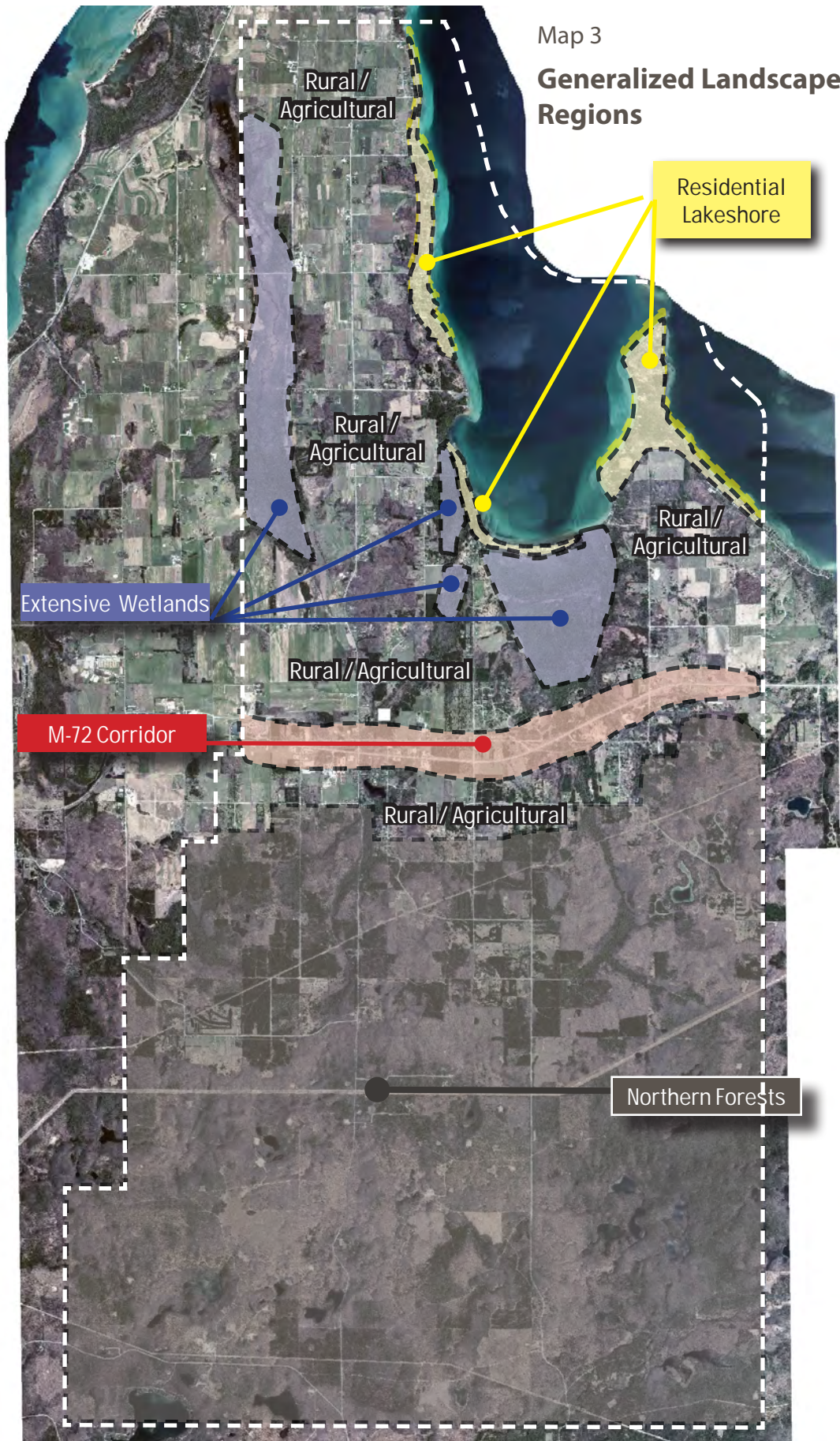
This map is based on digital databases prepared by Grand Traverse County. Grand Traverse County does not warrant, expressly or impliedly, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate. Map created by GTC GIS/Equalization

Map 2

Boardman River Watershed



This map is based on digital databases prepared by Grand Traverse County. Grand Traverse County does not warrant, expressly or impliedly, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate. Map created by GTC GIS/Equalization



Region 1 – Northern Forests.

Generally, south of M-72, the landscape is heavily wooded, with trees extending across a gently rolling terrain. Tree species include northern hardwoods (maple, birch, oak, beech, etc.). Much of the land south of M-72 is part of the Pere Marquette State Forest which extends throughout more than a dozen counties on the western side of Michigan's lower peninsula. Permanent and seasonal homes on larger lots, along with seasonal roads and recreational trails, are found throughout this region.

Map 4 shows the large amount of land owned by the State of Michigan in Whitewater Township (shown in green). Whitewater Township has 34,957.99 total acres. The State of Michigan owns 15,044.8 acres, or about 43% of Whitewater Township.



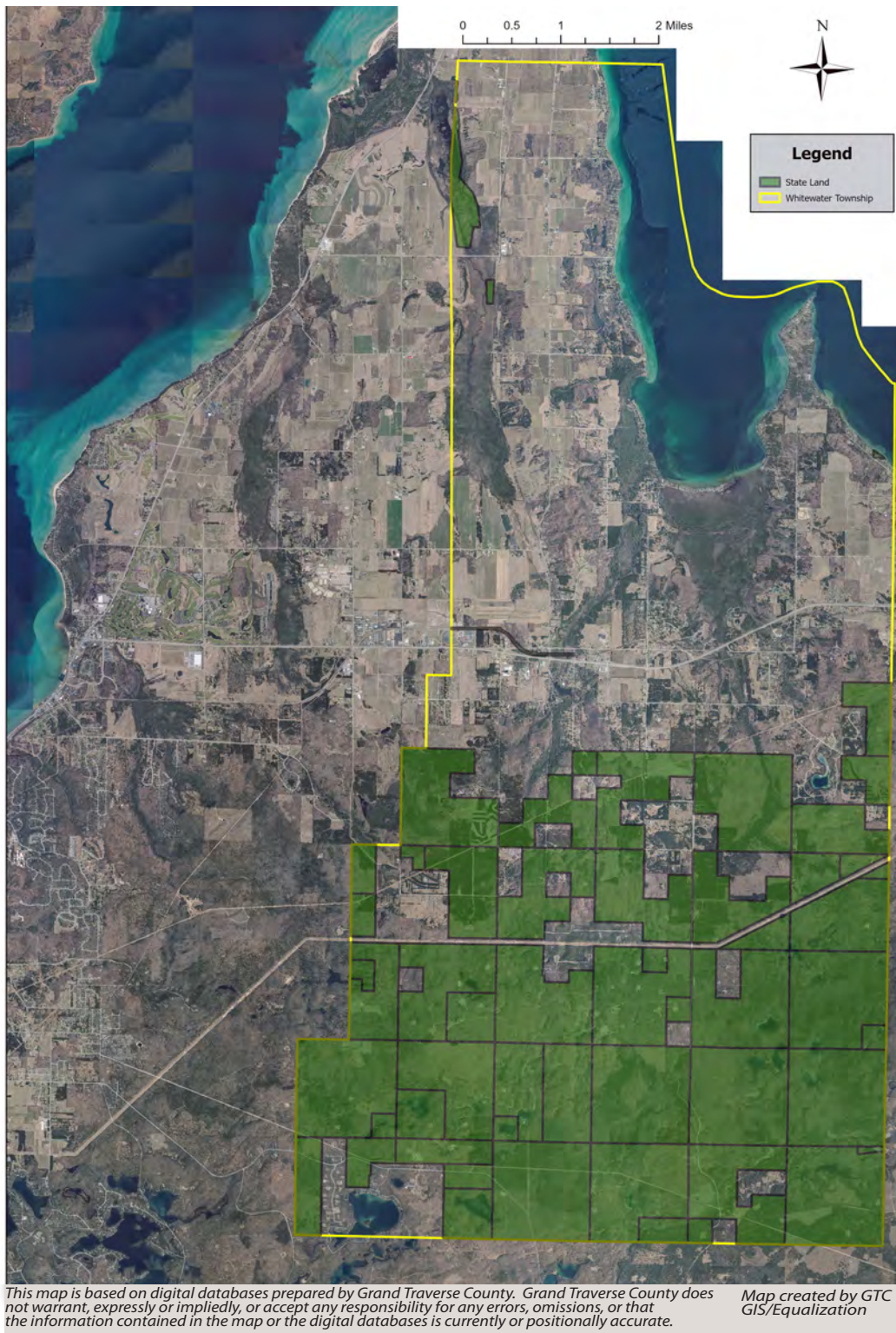
Region 2 – Rural / Agricultural.

Most of the land just south of and north of M-72 is agricultural. Trees were removed long ago to make way for pastures and orchards in areas with gentle slopes. The agricultural productivity of landscapes in northern Whitewater Township is aided by the proximity of Lake Michigan and Grand Traverse Bay, especially for fruit production. Because waterbodies warm and cool slower than land, Lake Michigan and Grand Traverse Bay moderate the spring and fall temperatures on adjacent land. As a deep and large body of water, Lake Michigan retains summer warmth in the fall and remains cool longer into the spring. The result is a moderation of adjacent land temperatures as winds move air from the water across the land. This is beneficial for fruit production for various reasons. The suitability of the area for agricultural production is also aided and supported by the well-drained sandy soils found throughout the region.



Map 4

State Land in Whitewater Township



Region 3 - The M-72 corridor.

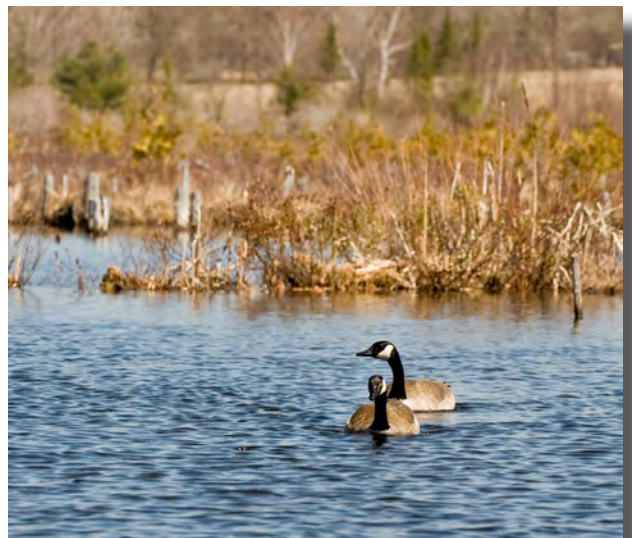
M-72 more or less bisects Whitewater Township in an east-west direction. This heavily-traveled route includes a mixture of residential, commercial, and industrial land uses. M-72 is a primary gateway to the Traverse City area and therefore is important both locally and regionally.

Region 4 – Extensive Wetlands.

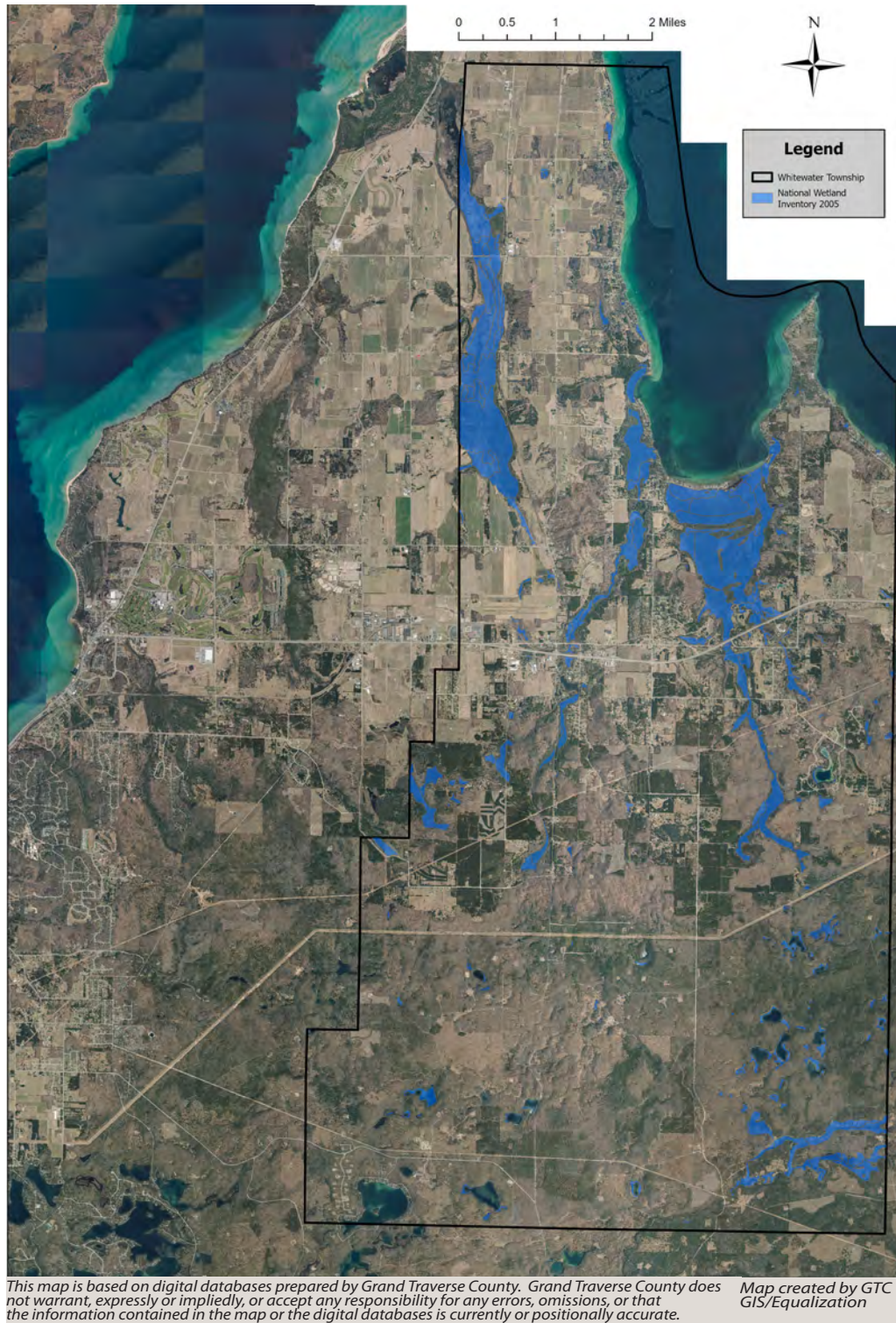
Interspersed in the rural agricultural area and elsewhere are large tracts of land with ponds, standing water, and wetlands. Wetlands are valuable natural assets because they clean the water, recharge water supplies, reduce flood risks, and provide fish and wildlife habitats. State and federal laws require permits before dredging or placing fill material in wetlands, or construction activity in a regulated wetland.

The presence of wetlands in and of itself is not unusual in the Midwest, but the amount of land locally identified as a wetland is. According to the National Wetlands Inventory, produced by the U.S. Fish and Wildlife Service, Whitewater Township has about 2,640 acres of wetlands (or about 7.5% of Whitewater Township). This is depicted in greater detail on **Map 5** (blue areas are wetlands). It should be noted that this map is intended to show the large areas of wetlands in the area and is not a substitute for site-specific wetlands studies to determine the boundaries of regulated wetlands for permitting requirements.

One area of extensive wetlands in Whitewater Township is the Petabego Natural Area and another is south of Elk Lake and Miami Beach Road where Battle Creek empties into Elk Lake. Both of these areas are visible on **Map 5**.



Map 5
Wetlands Map



Region 5 – Residential Lakeshores.

Finally, the land adjacent to Elk Lake and Lake Skegemog have shoreline characteristics all their own. Homes on smaller lots found here are on wooded or cleared lots, often with beaches or natural shorelines. Residential density (units per acre) is usually higher here compared with rural residential and agricultural homes further from the shore, but nearby. Waterfront property generally provides premium property values.



Floodplains

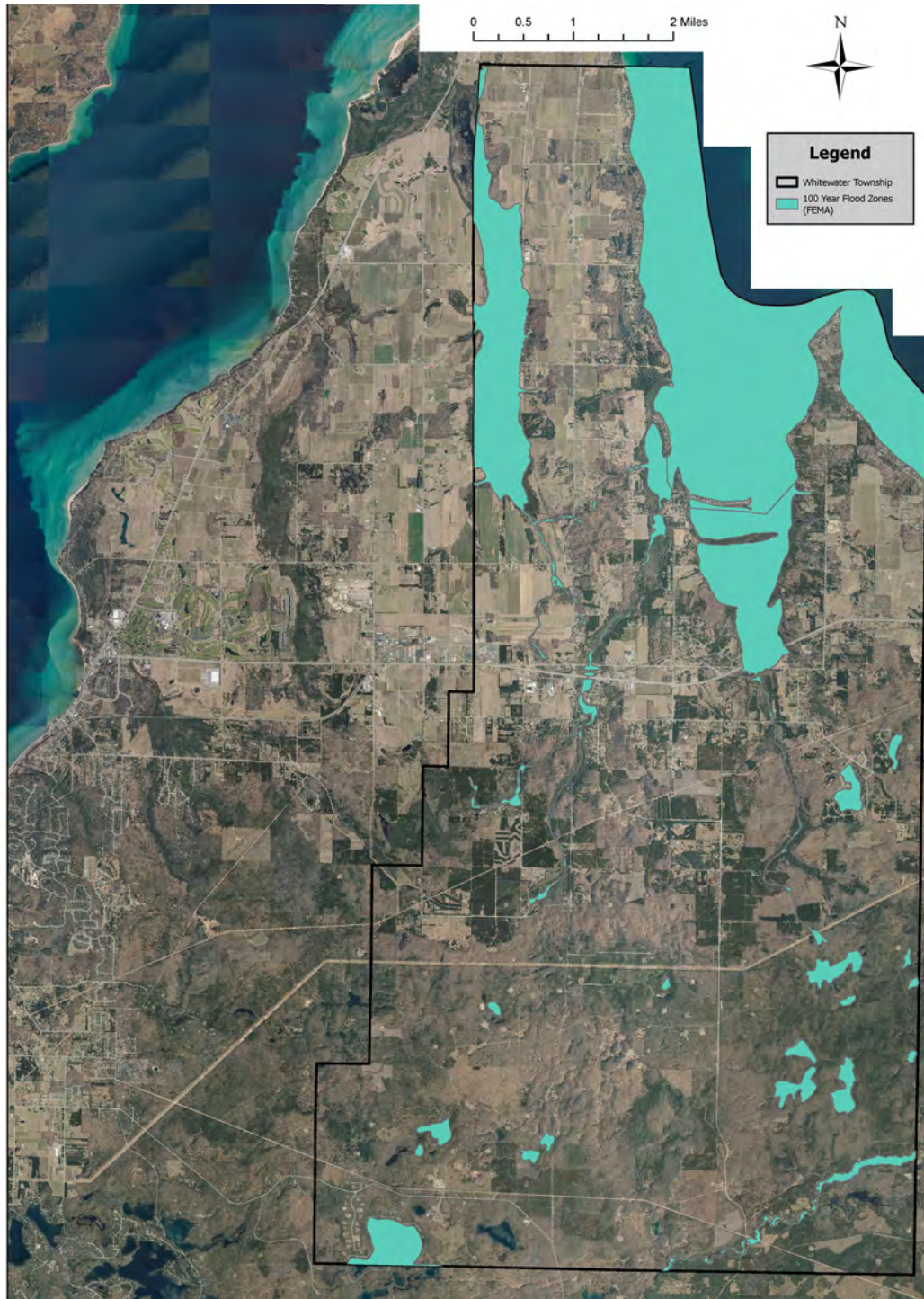
Related to the issue of wetlands in the matter of land subject to periodic flooding. The floodplain is the land next to a water body, such as a lake, river, stream, or creek that is subject to flooding when significant rain events combine with other conditions to force water above normal levels. Floodplains have been mapped nationally by the Federal Emergency Management Agency (FEMA) as part of the National Flood Insurance Program (NFIP) and are associated with a 100-year flood event. In other words, land included in the 100-year flood plain has a one percent chance of flooding in any given year.

The NFIP enables property owners to purchase flood insurance. In return, communities agree to adopt and implement local floodplain management regulations that contribute to protecting lives and reduce the risk of new construction and substantial improvements from future flooding. The recently completed 2022 Grand Traverse County Natural Hazard Mitigation Plan contains important floodplain-related information for all of Grand Traverse County.

From a land use perspective, the identification of 100-year floodplain boundaries helps understand general limitations on future development. The 100-year floodplain boundaries are depicted in greater detail on **Map 6**. This map is provided for general reference only and is based on the new Flood Insurance Rate Map (FIRM) that became effective in April 2023. However, any questions about whether a particular property is in the regulatory flood plain should be made using actual FIRM maps by qualified individuals.

It should also be understood that while flooding potential is an obvious and important limitation for how land can be used and built upon, land in the 100-year floodplain can be developed provided floodproofing measures are met. These include measures such as raising habitable floors above flood elevations. Whitewater Township is participating in the NFIP (pursuant to General Ordinance 53) and has an agreement with Grand Traverse County to enforce all Floodplain Management elements as FEMA requires. Grand Traverse County acts through its County Construction Code Office.

Map 6
Floodplain Map



Transportation and mobility

Vehicular mobility on a roadway system is the primary means of transportation in Whitewater Township. The local public roadway system consists of a state trunkline (M-72) maintained by the Michigan Department of Transportation (MDOT) and a system of county roads maintained by the Grand Traverse County Road Commission (GTCRC). There are also private roads that generally serve residential areas and are maintained with private funding.

M-72 is the primary east-west route and Elk Lake and Williamsburg Roads combine to provide the primary north-south route. The intersection of these two routes is more or less in the center of Whitewater Township and this intersection was recently signalized.

M-72

Along with being the major road in Whitewater Township, M-72 connects with I-75 in Grayling and is a primary route into and out of the greater Traverse City area. As mentioned, M-72 crosses the Lower Peninsula from Lake Huron to Lake Michigan. M-72 connects to M-22 in Empire near the shore of Lake Michigan with US 23 in Harrisville near the shore of Lake Huron.

M-72 traffic volumes are the heaviest in Whitewater Township west of the Williamsburg/Elk Lake Road signal. Some current and recent traffic counts available from MDOT are as follows:

While the total traffic volumes on M-72 seem to have generally increased over time, some recent fluctuations are likely related to the impact of the recent COVID pandemic. The total number of vehicles driven nationally declined substantially during the pandemic with work-from-home orders and related considerations.

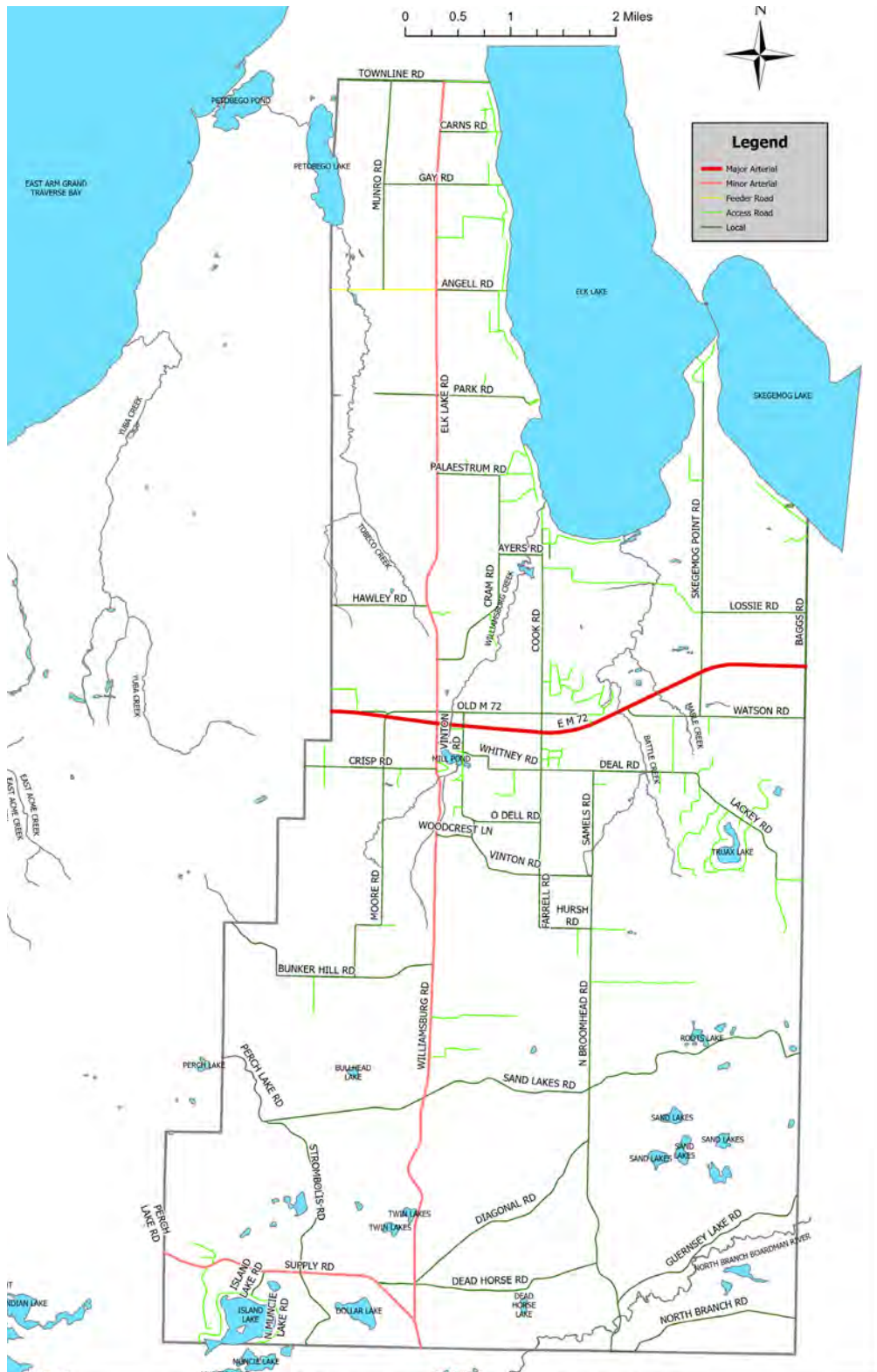
Road Network

One way to look at a network of roads is to classify them according to a system according to function and other attributes. There is a hierarchy of roads, wherein roads called arterials are major roads that connect urbanized areas with higher speeds and traffic volumes. Local roads or streets typically have lower traffic volumes with the vital function of providing access to adjacent property.

The GTCRC has developed a roadway classification system for Grand Traverse County. Whitewater Township's roadway network is illustrated on Map 7. Whitewater Township's only major arterial is M-72, while minor arterials include Williamsburg Road, Elk Lake Road, and Supply Road.

	2021 Annual Average Daily Traffic (AADT)	2020 Annual Average Daily Traffic (AADT)	2019 Annual Average Daily Traffic (AADT)	2016 Annual Average Daily Traffic (AADT)	2006 Annual Average Daily Traffic (AADT)
M-72 West of Signal	16,437	14,494	16,705	15,580	16,100
M-72 East of Signal to Baggs Rd.	14,638	13,187	14,718	12,382	12,700
Source: https://gis-mdot.opendata.arcgis.com/datasets/mdot::traffic-volumes-2020/about					

Map 7
Road Classification Map



This map is based on digital databases prepared by Grand Traverse County. Grand Traverse County does not warrant, expressly or impliedly, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate. Map created by GTC GIS/Equalization

Seasonal Roads

Like many similar communities, Whitewater Township has several seasonal roads. Seasonal roads are county roads with signs designating them as such. Seasonal roads receive maintenance (grading) in the spring, but the Road Commission does not maintain or snowplow seasonal roads between the months of November and April. A seasonal road may not be open to public travel during this time, and private landowners perform their own snow removal.



Trails

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



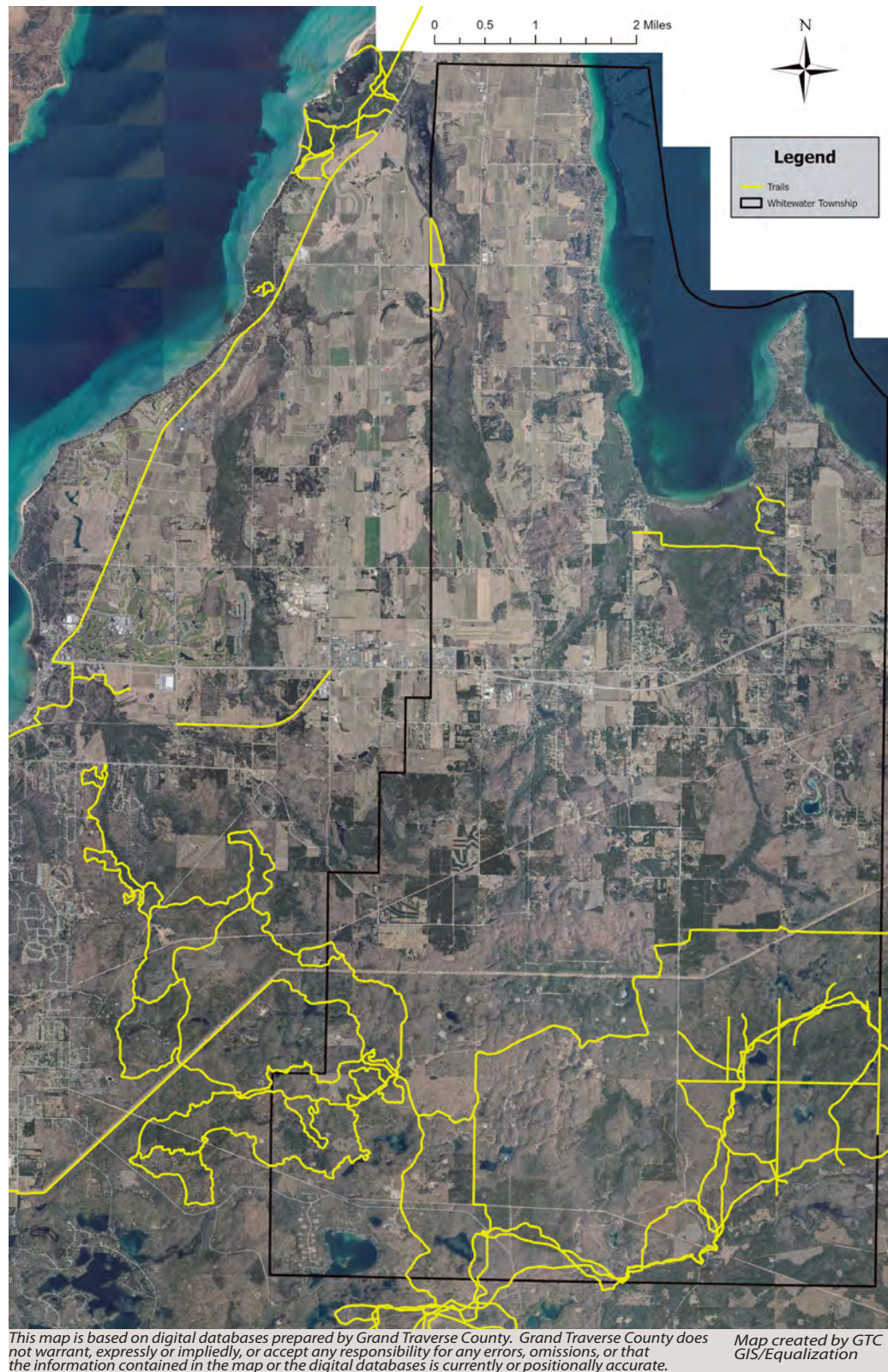
An illustration of all trails in Whitewater Township is provided on **Map 8**. It should also be noted that TART (Traverse Area Recreation and Transportation Trails, Inc.) is a local 501(c)(3) nonprofit organization. The mission of this organization is to provide and promote a trail network that enriches people and communities throughout the greater Traverse region. The TART Trail network is within and near Whitewater Township. The Boardman/Ottaway River Trail is a 24-mile trail that crosses Supply Road, west of

Williamsburg Road. TART has many active trail development projects in and around the region, as described at: <https://traversetrails.org/>.

Bike Route

Just to the west of Whitewater Township is U.S. Bicycle Route 35. U.S. Bicycle Route 35 is a 500-mile route that runs from Indiana through Michigan to Sault Ste. Marie, Canada, generally follows the Lake Michigan shoreline and through the eastern Upper Peninsula.

Map 8
Area Trails





Access Management

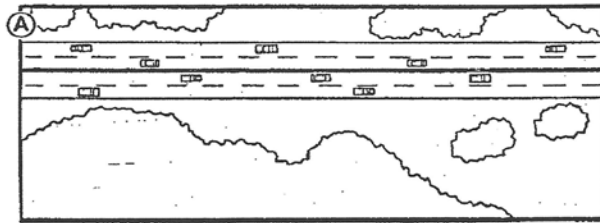
As noted, the jurisdiction over public road maintenance and building improvements is the responsibility of MDOT and the GTCRC. However, the relationship between road-related issues and local planning and zoning is important. While, work in the actual right-of-way falls under the jurisdiction of MDOT or the GTCRC, Whitewater Township regulates adjacent land uses and has associated development requirements through zoning. Ideally, there is coordination between driveway permitting and the site plan review at the township level to facilitate proper access management.

Roads have dual functions. They provide access to adjacent property and they provide a means to get from one place to another. These are conflicting purposes. An interstate highway efficiently moves large volumes of traffic at high speeds, but access

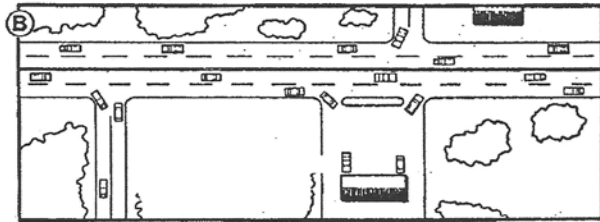
is limited to every mile or more. A local road in a subdivision provides great access to each house but with low speeds and traffic volumes.

Each new drive is a potential conflict between moving traffic and left or right turning movements. Often, as development occurs in rural areas, major and minor arterial roads experience reduced capacity and safety as each new driveway introduces a new conflict point where traffic flow is potentially impeded by turning movements. Access management is the effort to carefully manage where access points (driveways) are placed to enhance safety and preserve the capacity of the roadway to move traffic. Access management tools include techniques such as limiting driveways, shared driveways, access roads, restricted turning movements, deceleration lanes, medians, passing lanes or flares, left turn lanes, etc.

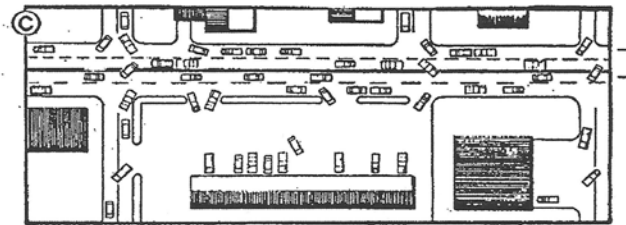
Cumulative Impact of Increased Roadside Development ...



What happens when unrestricted development takes place ...



over time ...



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

Source: *Reducing Traffic Congestion and Improving Traffic Safety in Michigan Communities: The Access Management Guidebook*, October, 2001 Prepared by the Planning and Zoning Center, Inc. under contract to MDOT.

Complete Streets

In past decades, streets have been built primarily for vehicles. Efficient and safe movement of cars and trucks has been the primary focus, and when congestion and safety issues arise, the solution was often to add travel lanes. Pedestrian and bike travel in the public right-of-way was rarely an important consideration when roadways were built or upgraded. For the last 20 years or so, however, the term "complete streets" emerged (along with related terms such as "context sensitive solutions," and "green streets") to emphasize that the public right-of-way

should try to blend the needs of vehicular travel with those of bikes and pedestrians, and design improvements accordingly.

This issue goes far beyond the recreational aspects of walking or biking, as an important underpinning for complete streets relates to health issues. Years ago, studies surfaced about the significant connection between public health, safety, and transportation. In the auto-dependent environment, streets are designed for vehicular travel and people seldom walk or ride bikes even for short trips. At the same time, obesity is one of the fastest-growing health issues in the US, along

with diabetes (both of which can be delayed or prevented by being more active). In many places, opportunities to be physically active have been engineered out of daily life with a focus on near-total reliance on private vehicles. If the public right-of-way was designed to also accommodate non-motorized transportation, it is likely that more would walk and ride bikes for both recreation and health benefits. Better design to blend vehicular and non-motorized transportation also leads to fewer crashes between vehicles, pedestrians, and bikes.

Complete streets issues often receive the most attention in urbanized environments where population density is higher, trip origins and destinations are short and walking or biking is a viable choice. However, in more rural areas, there are multiple opportunities to consider complete street designs, especially in terms of paved shoulders, pedestrian crossing markers, bike lanes near public lands, connections to schools, shared-use paths, and paved shoulders in key locations.

Like access management, planning for complete streets involves a partnership with MDOT and the GTCRC. The Michigan Public Act 134 of 2010 amended the Michigan Planning Enabling Act to expand the definition of “street” to include all legal users and expands elements that may be included in a master plan to include all forms of transportation and their interconnectivity. It also specifies that transportation improvements should be appropriate to their context and implemented in cooperation with the appropriate road agency.



Images of paved shoulders and pedestrian markings in rural areas.

Road Plan

In 2004, Whitewater Township prepared a “road plan” which is available on the Whitewater Township website. While this document is nearly 20 years old, it speaks to several previously mentioned issues and is still relevant today. Some particularly relevant topics include:

- **Promote Context-Sensitive Design (CSD):** CSD promotes an interdisciplinary approach to the design of road or transportation and attention to the physical setting, while maintaining safety and mobility.
- **Design Principles for Township Roads:** These principles include drainage, width and scale, grading, shoulders, alignment and vegetation.
- **Roads with Scenic and Historical Significance:** Certain roads in the Township have exceptional character, beauty, and historical significance and the Township should make special efforts to insure preservation in their current state.
- **Natural Beauty Roads:** A petition may be submitted to the Grand Traverse County Road Commission to designate certain roads as Natural Beauty Roads.
- **M-72 Corridor Study/Access Management and Boulevard:** References were made to the M-72 Access Management Plan completed in 2001. The scope of this study extended from Acme to Grayling.
- **Non-motorized Travel:** The need for Well-planned pedestrian paths and bikeways can encourage non-motorized travel is identified.
- **Funding Township Road Projects:** This includes funding from the Township general fund; establishment of special assessment districts, and levying a voted road millage; and finally, seeking grants for special projects.

Public Transportation

The Bay Area Transportation Authority (BATA) provides over half a million rides to residents and visitors of Leelanau and Grand Traverse counties, including Whitewater Township and the city of Traverse City. BATA offers public transportation services to both counties from a voter-approved a multi-year millage.

BATA provides on-line bus schedules and maps help regional riders find established loop pick-up locations. BATA also provides a fixed loop service for downtown Traverse City, and villages in Grand Traverse and Leelanau Counties. Riders outside of fixed bus loops can link to on-demand services to request a ride, similar to Lyft or UBER, and BATA's Village Link service helps rural area riders communicate with BATA Dispatch Services to schedule connections and pick-ups. Since 2017 BATA has grown to employ 120 people and has acquired new, greener buses, and renovated transfer stations.



It should be noted that the Traverse City area recently reached the population threshold to become a Metropolitan Planning Organization (MPO). Federal legislation requires that an MPO be designated for urbanized areas with more than 50,000 people to carry out a transportation planning process. An MPO produces long and short-term transportation plans and will receive additional federal funding. The exact boundaries of this new MPO have yet to be determined, but it may include Whitewater Township.

Public Facilities

Several public facilities support the local population. These facilities include local assets such as public buildings and utility systems. In late 2022, the Whitewater Township Board of Trustees hired C2AE to conduct a feasibility study of the township offices, fire station #3, and a potential water supply system. Some results of this study are summarized below:

50 years old and is about 5000 sq. ft. in size. Many issues related to this building have been identified. A new building that would be close to 20,000 square feet is recommended to house necessary apparatus, equipment, and related spaces.

- **Township Offices:** The current township office building is about 2,400 square feet and it provides public meeting space, administrative offices, and storage. This building is located on a 1.5-acre site on the west side of Vinton Street and it includes a 20+/- parking lot with large recycling bins. This existing building has challenges regarding heating, cooling, and other physical conditions. It is also regarded as being too small for current space needs. The need for a new building, potentially about three times the size of the existing one (about 7,600 square feet), was identified.
- **Fire Station #3:** The Whitewater Township Fire Department Station #3 (located between the Post Office and the cemetery on Old M-72) is nearly
- **Combined Public Building (Offices/Fire/EMS):** For planning purposes, the concept of a combined township hall/fire station was identified as a possible option. Combining facilities is appealing because some spaces and site improvements can serve dual purposes, thereby reducing costs. A new fire/ems station (19,300 sq. ft.), together with a new administration building (7,600 sq. Ft), together with room for future additions, parking, stormwater detention, etc., creates the need for a site that is about 7.5 acres in size.
- **Water Supply:** Whitewater Township does not now have a public water system, which is important for both human consumption and fire protection



and to support commercial or industrial operations. One option to offer public water is to purchase water from an existing system. This might include connecting to the Turtle Creek Casino & Hotel system through an agreement with the Grand Traverse Band of Ottawa and Chippewa Indians. A second option is to build a system consisting of groundwater wells, water storage, and a distribution system. The C2AE feasibility study identified a potential water district that would include water lines along M-72 from Moore Road to Cook Road and along Elk Lake/Williamsburg from Cram Road south to Church Street.

- **Sewer Systems:** There are no public sewer systems in Whitewater Township, except for the system operated by the Grand Traverse Band of Ottawa and Chippewa Indians for the Turtle Creek Casino & Hotel system.

Other public facilities and utility systems that serve Whitewater Township include the following:

Electric: Consumers Power and Cherryland Electric Cooperative provide electric services in Whitewater Township

Natural Gas: DTE Energy provides natural gas in Whitewater Township.

Library: The Elk Rapids District Library is located in Elk Rapids, near Grand Traverse Bay.

Schools: The Elk Rapids School District includes most of Whitewater Township. Mill Creek Elementary School is located at 9039 Old M 72 Williamsburg, and it serves 227 children (K-5). Other schools in the Elk Rapids School district include Lake Cherryland Middle School, Sunrise Academy, Lakeland Elementary, and Elk Rapids High School. Additionally, Woodland School located at 7224 Supply Road, Traverse City, was one of the first charter schools in Michigan and it includes a K-8 educational program.

4

IMPORTANT TRENDS

Trends

Building on the previous description of Whitewater Township in the past and present, it is logical to briefly consider existing trends now at work shaping the future. Indeed, trends can and do change, but several trends identified below are quite evident. They are having an impact on Whitewater Township today and are likely to continue to affect how Whitewater Township changes in the future.

Aging Population

The trend toward an aging population is well known. According to the US Census, the share of the population that is 65 and older increased from 13.1% in 2010 to 16.8% in 2021. Further, by 2060, nearly one in four Americans will be 65 years and older. Interestingly, almost one in four residents of Whitewater Township is 65 years old or older **today** (see previous chapter). It is therefore likely that older residents will continue to represent a larger and larger segment of Whitewater Township's population in the future.



**It's Difficult to Make Predictions,
Especially About the Future**

- Niels Bohr

Given such dramatic national trends, it is perhaps unsurprising that the American Association of Retired Persons (AARP) has been actively promoting and advocating policies to create livable communities for residents of all ages. AARP's Livable Communities Principles include encouraging the creation of mixed-use livable communities, with a range of housing and transportation options that meet the needs of people of all ages, ability levels, and backgrounds. They should also contain community features, such as parks, that meet the needs of all community members.

Remote Working

COVID-19 placed many workers into remote working arrangements. Many believe that remote work and hybrid



work arrangements (work from home and an office) are here to stay. This is a significant societal change impacting both the workplace and some communities. If some workers no longer need to live close to a workplace, they can live anywhere they desire. This is especially true for “knowledge workers” in industries such as technology, finance, media, etc., whose primary needs are a computer, phone, and internet connection. The term “zoom towns” was coined to identify vacation areas that grew with an influx of workers. While there is only anecdotal evidence of this trend in Whitewater Township, it is evident nationally, in Michigan, and specifically in the Traverse City region (see for example: *The Rise of Remote Work in Rural America - A Report by The Center on Rural Innovation and Rural Innovation Strategies, Inc., October 2021*).

APA Trend Report

In 2022 and 2023, the American Planning Association (APA) and Lincoln Institute of Land Policy began publishing reports that identify trends to recognize while planning for the future of communities and regions. Planners can use the identified trends listed as input to inform future decision-making. A selected number of trends identified in 2022 and 2023 include the following:

- **Support for a growing green economy:** The climate change provisions in the Inflation Reduction Act (IRA), totaling \$369 billion, constitute the single largest investment in climate mitigation and adaptation in U.S. history.

The IRA, promises \$60 billion in incentives for wind and solar power generation.



- **Electric mobility:** Electric transportation is increasing and will continue to grow. Five states have banned congestion-engine cars by 2035, and the U.S. Department of Energy announced a new \$5 billion program to fund the expansion of the electric vehicle charging network over the next five years.



These considerations point to a future in which charging stations are common and traditional gas stations become rare. A pilot project in Detroit is also underway to create a road with a wireless charging system that allows vehicles to charge while driving or idling.



- **U.S. manufacturing resurgence:**
The U.S. is experiencing a boom in manufacturing fueled by a strong dollar, a desire by many companies to simplify logistics and on-shore their production, the availability of skilled workers and raw materials, and crucially, a series of enticing legislative actions from the federal government. This creates local economic development opportunities.
- **Increasing entrepreneurship:**
2021 saw a record 5.4 million business applications, with another record likely in 2022. The largest jumps in business formation were in the field of e-commerce and online retail, with logistics, warehousing, transportation, and service businesses also seeing significant increases compared with previous years.
- **Retail Trends:** The rise of e-commerce, and the effects of the COVID-19 pandemic, have led to a large-scale restructuring of how people shop. For example, in the 1980s, there were about 2,500 shopping malls in the U.S. Today, only about 700 malls remain.



- **Zoning Reform and Housing:**

States and cities are rethinking zoning to make housing more affordable and accessible. Single-family housing is the dominant residential land use in the U.S., mainly due to local zoning codes and maps that have remained unchanged for decades. These regulations keep densities low but also limit overall supply, increasing housing costs in both suburbs

and central cities. California and Oregon have banned single-family-only zoning at the state level, while some cities have revised their zoning codes to permit “missing middle” housing types in single-family districts. Missing middle housing is generally building types, such as duplexes, fourplexes, cottage courts, and courtyard buildings that help expand housing options.



Whitewater Township Master Plan Community Survey

DRAFT

Whitewater Township is beginning the job of updating its Master Plan. A Master Plan describes the history, current state, and future vision for our community. It is a road map that guides decisions and proposes action steps for growth and development in ways desired by residents. The Whitewater Township Planning Commission is leading this process which includes substantial opportunities for voices to be heard on a range of issues. The first opportunity is this community survey. Please take a few moments to consider the questions and provide your thoughts and opinions. Please also look for other opportunities to weigh in later this year, as the Master Plan takes shape.

Responses to this survey are requested no later than June 16, 2023. Surveys may be sent to Whitewater Township by mail (Township Hall, 5777 Vinton Road, P.O. Box 100, Williamsburg, MI 49690). You may also use the drop box outside the Township Hall, or you may complete this survey online at www.whitewatertownship.org. Additional printed surveys for others in your household are also available by calling Whitewater Township at 231-267-5141, extension 22. Your input is valued, appreciated, and confidential. Thank you.

Question Group 1 A Little About You

1. What Age Group Do You Fall Into?

- ☐ Under 18
☐ 18 - 25
☐ 26 - 34

- ☐ 35 - 44
☐ 45 - 54
☐ 55 - 64

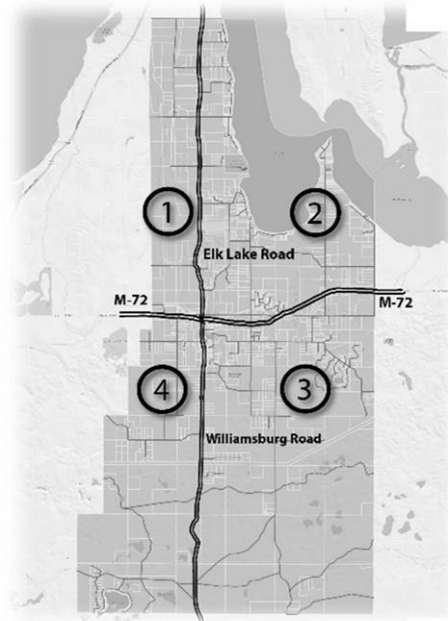
- ☐ 65 - 74
☐ 75 and over

2. Describe your association with Whitewater Township (check all may that apply).

Residency	Property Ownership	Employment
<input type="checkbox"/> Full-time resident	<input type="checkbox"/> Own property	<input type="checkbox"/> I am employed by a business in Whitewater Twp.
<input type="checkbox"/> Seasonal resident	<input type="checkbox"/> Rent property	<input type="checkbox"/> I am employed outside of Whitewater Twp.
<input type="checkbox"/> Property owner, not a resident		<input type="checkbox"/> I am a self-employed resident/business owner.
		<input type="checkbox"/> I am not employed or I am retired.

3. The map to the right shows Whitewater Township divided into quadrants using M-72 and Elk Lake Road/Williamsburg Road as dividers. Please identify which quadrant you live in.

- ☐ 1
☐ 2
☐ 3
☐ 4
☐ N/A



Question Group 2 General Views on Growth and Development

4. Communities often change over time as development occurs. According to each topic below, indicate if you think Whitewater Township has changed for the better or worse in the last 10 years. Circle your choice.

Topic	Rating				
	Worse		Neutral		Better
Quality of Development Occurring	1	2	3	4	5
Rate or Pace of Development Occurring	1	2	3	4	5
Kinds of Development Occurring	1	2	3	4	5
Adequacy of Infrastructure to Support Development (i.e., public water/sewer, other utilities, etc.)	1	2	3	4	5
Traffic	1	2	3	4	5
Other (explain) _____	1	2	3	4	5

5. In terms of the existing pattern of township development, please indicate an area that you think Whitewater Township should address to improve the quality of life. Please indicate **one** area that you feel is **most** important for the Township to address:

- | | |
|--|---|
| <input type="checkbox"/> Property Maintenance | <input type="checkbox"/> Employment Opportunities |
| <input type="checkbox"/> Affordable Housing or Local Housing Options | <input type="checkbox"/> Develop Convenient Bike Trails and Walking Paths |
| <input type="checkbox"/> Retail Options | <input type="checkbox"/> Traffic Congestion/Dangerous Intersections |
| <input type="checkbox"/> Other – Explain _____ | <input type="checkbox"/> None |

Question Group 3 Your View of Rural Character and Agriculture

6. Loss of rural character is sometimes mentioned as a concern when new development is proposed. However, the term “rural character” can be vague. Please indicate **two** of the following landscape elements that you most associate with rural character in Whitewater Township.

- | | |
|---|--|
| <input type="checkbox"/> Open fields | <input type="checkbox"/> Dwellings on very large (20 acres or more) parcels |
| <input type="checkbox"/> Orchards, farm stands, and other agricultural land | <input type="checkbox"/> Farm buildings and related architectural elements |
| <input type="checkbox"/> Woodlots and forests | <input type="checkbox"/> Roadways with limited development on either side |
| <input type="checkbox"/> Views of natural stream and river corridors | <input type="checkbox"/> Lake Views |
| <input type="checkbox"/> Other(explain) _____ | <input type="checkbox"/> Extended views of undeveloped land across the landscape |

7. In your opinion, identify the most scenic view from a public road in all of Whitewater Township. Please be as specific as possible: _____

8. Much of the land North of M-72 in Whitewater Township is zoned Agricultural (A-1). The minimum required parcel size in the A-1 District is 1 acre (43,560 square feet – or about 200' x 217'). In your mind, is this 1-acre minimum parcel size appropriate in the A-1 District?

- | | |
|---|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No, 1 acre is too large |
| <input type="checkbox"/> No, 1 acre is too small. | <input type="checkbox"/> Not Sure |

If you have thoughts about an appropriate minimum parcel size in the A-1 District, please share them here.

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

☐ Yes

☐ No, 5 acres is too large

☐ No, 5 acres is too small.

☐ Not Sure

If you have thoughts about an appropriate minimum parcel size in the RC-1 District, please share them here.

10. Agricultural tourism is a broad category of activities that can include road-side stands, u-pick operations, and other activities incidental to the operation of a farm that brings members of the public to the farm for educational, recreational, or retail purposes. How important do you feel agricultural tourism activity is in Whitewater Township?

☐ Very Important

☐ Slightly Important

☐ Somewhat Important

☐ Not Important

Question Group 4 Commercial Development

11. Portions of the M-72 corridor through Whitewater Township lend themselves to future commercial development and redevelopment. Generally speaking, what qualities should future commercial development exhibit in order to fit within your image of well-planned corridor **(pick up to 2)?**

☐ Limited Numbers of Driveways

☐ Limited Site Lighting

☐ Extensive Landscaping

☐ Mixture Of Uses (Potentially Retail, Services, Office, Residential, Etc.)

☐ Sign Controls (Size, Illumination, Etc.)

☐ Smaller Building Footprints—such as those less than 75,000 sq. ft. (for reference, the Tractor Supply store on M-72 is about 20,000 sq. ft. and the Meijer Store is about 200,000 sq. ft.).

☐ Building Design

☐ None Of the Above

☐ Other (Describe) _____

☐ Other (Describe) _____

12. The Village of Williamsburg (North of M-72) was once a commercial center. While some evidence of this remains today, many buildings were demolished years ago. Today we have a post office, fire station, cemetery, residential uses, and commercial uses. Should redevelopment take place in the years to come, which of the following scenarios would you most like to see?

☐ Encourage redevelopment into a downtown-type setting with small-scale retail, commercial services, restaurants, and upper-floor housing.

☐ Encourage Higher Density Residential Redevelopment (Townhomes or A Format Similar to Millbrook Estates South Of M-72)

☐ Something Else (Explain) _____

Question Group 5 Housing

13. Short-term rentals (i.e., Airbnb and VRBO) of private residential homes occur in some communities, and this activity is particularly popular in Northern Michigan. The term "Short-term rental" typically means the rental of a dwelling unit for less than 30 consecutive days. What are your thoughts about whether short-term rentals should be allowed in Whitewater Township? (Note: A Bed and Breakfast is different from a short-term rental and is permitted as a Special Use in Whitewater Township, and state law could change how a local government may regulate short-term rentals in the future).

☐ Short-term rentals should be prohibited in Whitewater Township.

☐ Short-term rentals should be allowed in Whitewater Township without any local regulation.

- ☐ Whitewater Township should regulate short-term rental activity in some fashion (i.e., licensing mechanism, limits for how many short-term rentals a property owner could operate, limits on how many short-term rentals can be approved in a community, etc.)
- ☐ Not Sure

Question Group 6 Alternative Energy

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

- ☐ I support alternative energy and believe that the environmental benefits outweigh the impacts on the appearance of the local rural landscape.
- ☐ I support alternative energy, but I also want to see basic approval conditions to minimize impacts on the appearance of the local rural landscape.
- ☐ I do not support alternative energy systems in a township like Whitewater.

Please share any other thoughts you might have on this issue: _____

Question Group 7 General

15. How important is it for the Township to develop or improve the following over the next 10 to 20 years? And, do you support paying additional funds for this?

	Very Important	Somewhat Important	Slightly Important	Not Important	Do you support paying additional funds for this?	
					Yes	No
Village Of Williamsburg						
Shoreline And Waterway Protection						
Community Center						
Fire Protection						
Emergency Medical Services						
Zoning Regulations						
New Township Hall						
Web/Televised Township Meetings						
Walking/Bike Paths						
Farmland/Open Space Preservation						
Availability Of Public Water						
Recreational Facilities						
Community Events/Festivals						
Library						
Senior Services						
Park Facilities						
High-Speed Internet						
Public Sewer						

16. What else would you want the Township to know that has not been asked on this survey? Your answer to this question is very important to understanding what residents of Whitewater Township desire.

Please be as specific as possible _____

DRAFT



Community Survey

The Whitewater Township Planning Commission is conducting a community survey to learn about local attitudes and preferences on various issues. This information will help guide the development of a new Master Plan. Survey forms are being mailed the week of May 29, 2023. If you do not receive one in the mail, please call the Township Hall at 231-267-5141, extension 22, and request one, or simply go to www.whitewatertownship.org and complete the survey online.



WHAT DO YOU THINK?

MASTER PLAN

The Whitewater Township we know and love today was created by the decisions of past generations. Now it's your turn to help create the future! Townships like Whitewater prepare and update Master Plans to define long-term goals and a vision for the future. Master Plans recommend zoning changes and development policies.

The steps toward updating a Master Plan provide a unique time to consider challenges and discover ways to build on community strengths. Most importantly, it is a time to consider how Whitewater Township can take steps to create the future and become an even more special place.

Several draft introductory chapters of the Master Plan are available for review and comment on the Whitewater Township Website. (www.whitewatertownship.org).

When

Surveys are being mailed out the week of May 29, 2023, and must be returned by June 30, 2023.

Survey Return

If not completed online, paper surveys may be mailed to, or dropped off at the Whitewater Township Hall (5777 Vinton Road, P.O. Box 100 Williamsburg, MI 49690)

Whats Next?

This community survey is the first public engagement step in the planning process. Planning for public workshops is underway for late summer or early fall of this year. How these workshops are organized and what topics will be addressed depends partly on what we learn from this community survey. Please complete the survey and look for more opportunities to share your thoughts and ideas