

SAFETY NOTICE:

We request that any individual that is running a fever, coughing, sneezing (even allergies), or just not feeling well, refrain from attending in person and utilize our Zoom attendance option.

Thank you. The Whitewater Township Planning Commission

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Planning Commission Meeting

Time: Jan 6, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/98411325274?pwd=YVlqeUJrL0RRd1VvWjZZUmFyTUJ1UT09>

Meeting ID: 984 1132 5274

Passcode: 490654

One tap mobile

+16465588656,,98411325274#,,,,*490654# US (New York)

+13017158592,,98411325274#,,,,*490654# US (Washington D.C)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 984 1132 5274

Passcode: 490654

WHITEWATER TOWNSHIP PLANNING COMMISSION

AGENDA FOR REGULAR MEETING, *January 6, 2021*

7:00 p.m., Whitewater Township Hall

Via ZOOM and in person

5777 Vinton Road, Williamsburg, MI 49690

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

1. Call to Order/Pledge Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.

- c. Persons may address the commission on matters that are relevant to township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.
- 6. Public Hearing: None
 - 7. Approval of minutes of October 7, 2020
 - 8. Correspondence: None
 - 9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator, Hall:
 - b. Chair, Mangus
 - c. Township Board Representative,
 - d. ZBA Representative, Hooper
 - 10. Unfinished Business:
 - a. Discussion of meeting format, Zoom vs In person
 - b. Discussion of timing and direction for addressing Tabled Items
 - c. Reschedule Public Hearing 78, Article 28, Condominium Regulations and Definition(s)
 - d. Master Plan Update Review
 - 11. New Business:
 - a. Bi-Laws,
 - b. Resolution PC21-01 2021/2022 Meeting Schedule
 - c. Election of Officers
 - d. Discussion of Year-end Report
 - e. Marijuana law education, discuss direction and intent
 - 12. Next Meeting February 3, 2021
 - 13. Public Comment
 - 14. Commission Discussion/Comments
 - 15. Continuing Education:
 - 16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
October 7, 2020

Call to Order at 7:04 p.m.

Roll Call: Dean, Hooper, Jacobson, Lawson, Mangus, Savage, Wroubel

Savage left the meeting

Also in attendance: Recording Secretary MacLean

Meeting via Zoom 2 participants

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment: Heidi Vollmuth 8388 Winnie Lane. Masks is for respect. Ordinance work tonight. Would like to see you send an ordinance to the board that has nothing wrong with it. Not easy but not hard. Well qualified to put an ordinance together. Unfortunately you lost your safety. We need ordinances to go to the board and not bounce back and forth to the attorney.

Public Hearing: None

Approval of Minutes:

MOTION by Hooper, second by Dean to approve September 2, 2020. Meeting Minutes.

All in favor. Motion carried.

Correspondence: None

Reports:

Zoning Administrator Report, Hall (Bob): Included in packet.

Chair's Report, Mangus: None.

Township Board Rep., Lawson: Mangus requested Popp to speak regarding the status on Board discussion of legalization in the township of marijuana. That is something we have been told could be coming down the pipe to us but I haven't heard what you came up with.

Popp: Good evening members. Get ready to duck. The Board, at a special meeting on September 22, did vote to move forward to the attorney a proposed ordinance that would allow adult use grow in the township to the tune of approximately 6000 plants and establish a processing facility for the adult use and agricultural hemp here in the township as well. And it appears they are only considering one license at the time and one facility at this time. But will wait and see what the attorney has to say. So, yes, I would think that we have some ordinance coming our way, whether or not it will be in the zoning ordinance or a police power. It will probably be a police power but the zoning will need to be updated and, of course, that's where it falls to the PC.

Mangus: You are looking at the township doing the control ordinance. We would just have to include it in the appropriate districts.

Popp: That's right. Those districts that would be affected by whatever ordinance does eventually or does not get adopted. Then you would have to look at the corresponding districts and make sure that the proper allowances are there.

Tomorrow's stock market is a good day to buy.

Mangus: Knew there had been a meeting but hadn't gotten feedback on where they were on it.

ZBA Representative, Hooper: No meetings.

Committee Reports: None.

Additional Items: None.

Unfinished Business

1. Event Barns: re- evaluation of timing and direction: In the current conditions we cannot accommodate people in the meetings. It is bad timing right now and we don't want the perception that it is being addressed without the ability to have public input and attendance.

Motion by Hooper second by Wroubel to table the discussion of Event Barns Review until the January 2021 meeting where we will re-evaluate and set a schedule at that time. All in favor. Motion carried.

2. Article 28, Condominium Regulation Review. Mangus provided updated information from last month's discussion, zoning administrator included notes on the provided update from Mangus (provided to the members) for discussion.
Review of / Read through and discussion of suggested changes.
Addition of Condominium Conversion definition in the Definitions section.
Consensus on changes discussed.
Are we ready for a public hearing?
MOTION by Dean, second by Hooper to set Public Hearing for the December regular meeting for Article 28, Condominium Regulation. All in favor. Motion carried.
3. Master Plan (MP) Update:
Wroubel: section 14 and 16. Topography map shows creeks in places where there have not been creeks or waterways in many years. Include more detailed Whitewater Township Park / campground information and more park and recreation details.
Possibly move historical photos to the historical section.
Mike Jacobson: Community Facilities, Emergency Services, Fire and Rescue, Medical Response and affiliations.

New Business:

1. Update on Board decision regarding marijuana. There will be more information / direction coming from the Board. Looking to get a five minute run down for clarification on some things from the Zoning Administrator. Yet to be determined if it will be a zoning ordinance or a general ordinance with adjustments in the zoning ordinance where applicable.
Where would they be allowed? Industrial? Ag?
The township previously had another individual purchase property in the industrial district with the intent of using it as a manufacturing facility. Don't know if the property has changed hands again. We may have more than one in the township. That is one of the things Bob could run down for us.
Traverse City has X number of recreational licenses and X number of medical licenses. Medical facilities are not automatically getting the recreational licenses. They have less recreational licenses than they have facilities.
The Board has to make a decision. Hopefully Bob can give a run down before it hits our agenda.

Next Regular Meeting is scheduled for November 4, 2020.

Agenda: Article 28, Condominium Regulation Review to finalize for the December public hearing; Master Plan review, configuration and update.

Postponed to January: AG District Review and Event Barns Review

Public Comment:

In-person: Heidi Vollmuth: Master Plan: Set this up like an ad campaign. Let people know what is available.
Marijuana: First the board has to opt in.
Thank you for tabling the event barns. They left here very perturbed.

Via Zoom: None

Commission Discussion/Comments: None

Continuing Education: Short Term Rental information provided by the zoning administrator.

Adjournment: 9:00 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

Proposed Zoning Ordinance Amendment No. 78
Article 3
(add definition of Condominium Conversion)

CONDOMINIUM CONVERSION: Any property or group of properties whose form of ownership is changed to condominium units from another form of ownership.

Proposed Zoning Ordinance Amendment No. 78

Article 28
(revised in its entirety)

ARTICLE XXVIII
CONDOMINIUM DEVELOPMENT REGULATIONS

28.10 INTENT

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

28.11 APPLICABILITY

A. General Provisions

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

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

C. Plat Approval

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

D. Planned Developments

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

28.12 CONSULTATION

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

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

Proposed Zoning Ordinance Amendment No. 78

Article 28

(revised in its entirety)

28.13 GENERAL REQUIREMENTS

A. Compliance with Federal, State and Local Laws

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

B. Fee Required

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

C. Information Required

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

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

Proposed Zoning Ordinance Amendment No. 78

Article 28

(revised in its entirety)

16. Location and types of all significant existing vegetation, water courses and bodies, flood plains and water retention areas, wetlands, and soil types.

17. Any additional information required during site plan review

D. Utility Easements

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

E. Performance Guarantees

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

28.14 MOBILE HOME CONDOMINIUM DEVELOPMENTS

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

28.15 STANDARDS AND DESIGN FOR CONDOMINIUM DEVELOPMENTS

A. Condominium Lots

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

B. Condominium Development Layout and Design

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

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

Proposed Zoning Ordinance Amendment No. 78

Article 28

(revised in its entirety)

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

28.16 REVIEW PROCEDURES

A. Preliminary Review

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

B. Agency Submittal

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

C. Public Hearing

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

D. Planning Commission Determination

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

Proposed Zoning Ordinance Amendment No. 78

Article 28

(revised in its entirety)

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

E. Township Board Procedure

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

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

F. Township Board Determination

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

28.17 CONDITIONS AND DURATION OF APPROVAL

A. Conditions

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

B. Duration

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

C. Condominium Development Plan Approval Contract

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

Proposed Zoning Ordinance Amendment No. 78

Article 28

(revised in its entirety)

28.18 FINAL FILINGS REQUIREMENTS

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

28.19 CONDOMINIUM DEVELOPMENT AMENDMENTS

Condominium Development Plans may be amended as follows:

A. Minor Amendments

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

B. Major Amendments.

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

The new millennium brought new interests into Williamsburg. The Grand Traverse Band of Ottawa and Chippewa Indians constructed Turtle Creek Casino. Elk Rapids School District built Mill Creek Elementary School. Grand Traverse Plastics, Inc. anchors the industrial section of town, shipping products worldwide and small businesses populate the M-72 corridor. In 2010 more than 2,500 people were calling Whitewater Township home.

In 2002 Whitewater Township acquired the Petobego Natural Area.

In 2007 Whitewater Twp. obtained the Battle Creek Natural Area containing 255 acres and 2300 feet of shoreline on Elk Lake.

In August of 2015 a severe storm changed the landscape of Skegomog Point and the Battle Creek Natural Area.

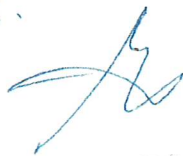
It was during this period of time DTE Energy extended the Natural Gas line to the M-72 business district.

In 2019 the State of Michigan established a gun range off Supply Road east of Fife Lake Road.

Also in 2019 the Michigan State Highway department activated a traffic signal at M-72 and Williamsburg-Elk Lake roads.

During this decade Whitewater Township severed its ties with Rural Fire and established its own Fire Department and Ambulance service with upgrades to the facility.

To
Kim Menges
Here is the update
I thought you
had.



RECEIVED
10-9-20
CB

PART 1

Introduction

Figure 1. Location of Whitewater Township Keep This Figure

Whitewater Township is located in the northeast corner of Grand Traverse County, Michigan. We are a rural community centered around the town of Williamsburg. We have small Commercial and Industrial districts along the M-72 highway east/west corridor and a small village district. The balance of the township is basically residential and agriculture north of M-72 and low density residential and recreation to the south.

What is the Master Plan?

This Master Plan was adopted in its current form in 2015. The Township Planning Commission performed a state-mandated 5 year review in 2020. The Master Plan is a comprehensive long-range plan intended to guide growth and development of Whitewater Township. This plan provides an outline for Township Officials, residents, developers, and business people interested in living, locating and/or working in the community.

The Whitewater Township Master Plan is not a zoning document; therefore the recommendations of the plan are only for guidance, not to regulate property. Whitewater Township Zoning Ordinance remains the authority in all Township zoning matters.

How does the Township derive its authority?

The authority for the preparation of a Master Plan comes from the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended. Section 33 of the Act requires:

Michigan Planning Enabling Act of 2008, Public Act 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, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes.*
- b) The general location, character, and extent of streets, railroads, airports, bicycle paths, pedestrian ways, bridges, waterways, and waterfront developments, sanitary sewers and water supply systems, facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels, and 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) 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."

How will Whitewater Township use this plan?

The Plan serves many functions and is to be used in a variety of ways:

1. The Plan is a general statement of the Township's goals and policies and provides a comprehensive view of Whitewater Township's desires for the future.
2. The Plan serves as an aid in decision-making. Goals and policies outlined in the Plan guide the Planning Commission and Township Board in their deliberations on zoning, subdivisions, capital improvements, and other matters relating to land use and development.
3. The Plan provides the basis upon which the zoning ordinance is written and amended. The Michigan Zoning Enabling Act of 2006, Public Act 110 as amended, requires that the Zoning Ordinance be based upon a plan designed to promote the public health, safety, and general welfare.
4. The Plan attempts to coordinate public improvements and private developments. An outcome of the Plan should be that public investments such as infrastructure improvements will be located in areas identified in the Plan as having the greatest benefit to the Township and its residents.
5. The Plan is an educational tool and gives citizens, property owners, developers and adjacent communities a clear indication of the Township's direction for the future.

In summation, the Whitewater Township Master Plan is a document which sets forth a long-range statement of general goals and policies aimed at the unified and coordinated development of the Township.

Figure 2. "The Corners" in Old Williamsburg at the corner of Church Street and Vinton Road. F.E. White's store (left) housed the Post Office. Circa 1910 (Keep this figure)

PART 1

Introduction

Figure 1. Location of Whitewater Township *Keep This Figure*

Whitewater Township is located in the northeast corner of Grand Traverse County, Michigan. We are a rural community centered around the town of Williamsburg. We have small Commercial and Industrial districts along the M-72 highway east/west corridor and a small village district. The balance of the township is basically residential and agriculture north of M-72 and low density residential and recreation to the south. Since the adoption of the previous Master Plan in 1999, a number of changes have occurred within the Township, the surrounding area and in State Law. The Planning Commission determined that it was essential to Whitewater Township for the Master Plan to be rewritten in order to address these changes.

What is the Master Plan?

This Master Plan was adopted in its current form in 2015. The Township Planning Commission performed a state-mandated 5 year review in 2020. The Master Plan is a comprehensive long-range plan intended to guide growth and development of Whitewater Township. It is based on public input, the Whitewater Township Community Input Survey 2009, existing development, physical characteristics, and social and economic conditions. This plan provides an outline for: Township Officials, residents, developers, and business people interested in living, locating and/or working in the community.

The Whitewater Township Master Plan is not a zoning document; therefore the recommendations of the plan are only for guidance, not to regulate property. Whitewater Township Zoning Ordinance remains the authority in all Township zoning matters.

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"(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, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes.
- b) The general location, character, and extent of streets, railroads, airports, bicycle paths, pedestrian ways, bridges, waterways, and waterfront developments, sanitary sewers and water supply systems, facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels, and 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) 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.”

How will Whitewater Township use this plan?

The Plan serves many functions and is to be used in a variety of ways:

1. The Plan is a general statement of the Township's goals and policies and provides a comprehensive view of Whitewater Township's desires for the future.
2. The Plan serves as an aid in decision-making. Goals and policies outlined in the Plan guide the Planning Commission and Township Board in their deliberations on zoning, subdivisions, capital improvements, and other matters relating to land use and development.
3. The Plan provides the basis upon which the zoning ordinance is written and amended. The Michigan Zoning Enabling Act of 2006, Public Act 110 as amended, requires that the Zoning Ordinance be based upon a plan designed to promote the public health, safety, and general welfare.
4. The Plan attempts to coordinate public improvements and private developments. An outcome of the Plan should be that public investments such as infrastructure improvements will be located in areas identified in the Plan as having the greatest benefit to the Township and its residents.
5. The Plan is an educational tool and gives citizens, property owners, developers and adjacent communities a clear indication of the Township's direction for the future.

In summation, the Whitewater Township Master Plan is a document which sets forth a long-range statement of general goals and policies aimed at the unified and coordinated development of the Township.

Figure 2. "The Corners" in Old Williamsburg at the corner of Church Street and Vinton Road. F.E. White's store (left) housed the Post Office. Circa 1910 (Keep this figure)

Whitewater Township Planning Commission Bylaws

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

SECTION 1: Membership

- A. Membership Size** - The Planning Commission shall consist of seven (7) members.
- B. Membership Terms of Office** - Members are appointed by the Township Supervisor for staggered three year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** - Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the Commission to function with less than the seven (7) members provided.
- D. Membership Qualification** - All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation** - Membership shall be representative of the important segments of the community including:
 - 1. Agriculture
 - 2. Natural Resources/Environmental
 - 3. Recreation
 - 4. Education
 - 5. Public Health
 - 6. Government
 - 7. Transportation
 - 8. Industry
 - 9. Commerce
 - 10. Littoral Owner
 - 11. Building Trades
 - 12. Resident at Large
- F. Township Board Representation** - One member of the Township Board shall serve as a member of the Planning Commission. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity.
- G. Zoning Board of Appeals Representation** - One member of the Planning Commission shall serve as a member of the Zoning Board of Appeals. His/her term shall coincide with their appointment to the Planning Commission.
- H. Liaisons** - The Township Attorney and the Planning Department staff (including their agents and consultants) shall have the ability to participate in discussions of the Commission during their meetings.

SECTION 2: Officers

- A. Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year, and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January

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meeting, those officers whose terms as officers have expired and who remain as active members of the Planning Commission shall continue their services as officers until elections are held.

- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission, including recommending the Zoning Board Representative to the Township Board when a vacancy occurs.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties.

SECTION 3: Meetings

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

- A. Regular Meetings** – Meetings of the Planning Commission shall be held on the First Wednesday of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

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

- B. Special Meetings** - Special meetings may be called by the Chairperson or upon written request to the secretary by at least two members of the Planning Commission. Notice of special meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- C. Notice** - Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute. All Planning Commission agendas and notices will be posted on the Township website, whitewatertownship.org. and in all other Township designated locations.
- D. Public Hearings** - All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.
 - 1. Public Hearings that will result in the consideration of amending the Zoning Ordinance text or map shall be set by motion of the Planning Commission.
 - 2. Public Hearings that are required for site plan and/or special use consideration may be set in accordance with the Planning Commissions regular schedule by the Zoning Administrator.
- E. Agenda** - The chairperson shall be responsible for preparing a tentative agenda, with the assistance of the Zoning Administrator or Recording Secretary, if requested, for Planning Commission meetings. The agenda may be modified by quorum of the Commission.

- F. Quorum** - Four (4) members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters with the exception of Master Plan adoption or amendments (see G below).
- G. Voting** - An affirmative vote of 2/3 of the members of the Planning Commission is required to recommend approval of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any Commission member or directed by the chairperson. Except in the case of conflict of interest, all Planning Commission members, including the Chairperson and ex officio member, shall vote on all matters.
- H. Public Records** - All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- I. Parliamentary Procedure** – Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order.

SECTION 4: Duties of the Planning Commission

The Planning Commission shall perform the following duties:

- A.** Prepare, review and update a master plan as a guide for development within the Township's planning jurisdiction.
- B.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- C.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Master Plan as required.
- D.** Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- E.** Take such actions as authorized or required by the Michigan Planning Enabling Act.
- F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G.** Review subdivision proposals and recommend appropriate actions to the Township Board.
- H.** Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

SECTION 5: Absences and Removals

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

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SECTION 6: Conflict of Interest

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

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

1. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as a spouse, mother, father, sister, brother, son, or daughter, including an adopted child.
2. The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
3. The Planning Commission member owns or has a financial interest in neighboring property or property within a notification zone.

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

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

SECTION 7: Compensation

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

SECTION 8: Education

Members shall complete one training/educational program each year. Training will be provided when available at regular meetings of the Planning Commission by the Planning/Zoning Administrator (or his/her designee) and will qualify as acceptable training. However additional training is encouraged.

SECTION 9: Order of Business

The order of business shall be as follows:

1. Call to Order/Pledge of Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. Public Comment – Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the Commission on matters that are relevant to Township planning and zoning issues.

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- d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
- e. Public comment shall be limited to 3 minutes.
- 6. Public Hearing
 - a. Open public hearing/ state time.
 - b. Request those attending sign attendance sheet.
 - c. State date of public hearing notice publication and newspaper published in.
 - d. State purpose of public hearing.
 - e. Introduce any presentations to be given.
 - i. Zoning Administrator
 - ii. Petitioner/Agent
 - f. Read any written comments received.
 - g. Receive public comment.
 - h. Close public hearing/state time.

Questions shall be addressed through the Chair during the public hearing. Planning Commission discussion and/or action shall take place following the public hearing.

- 7. Approval of Minutes of Previous Meeting(s)
- 8. Correspondence
- 9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator
 - b. Chair
 - c. Township Board Representative
 - d. ZBA Representative
 - e. Committee Reports
 - f. Additional Items
- 10. Unfinished Business
- 11. New Business
- 12. Next Meeting Agenda
- 13. Public Comment
- 14. Commission Discussion/Comments
- 15. Continuing Education
- 16. Adjournment

SECTION 10: Amendments

These bylaws may be amended at any time following a recommendation of the majority of the membership of the Planning Commission and subsequent notification to the Township Board.

Adopted by the Whitewater Township Board at their regular meeting on March 17, 2020.

Resolution #PC21-01

Resolution for Whitewater Township Planning Commission
Regular Meeting Schedule for 2021/2022

Whitewater Township
Grand Traverse County, Michigan

Be It Resolved that the Whitewater Township Planning Commission will meet in regular sessions for the 2021/2022 fiscal year on the following dates at 7 p.m., unless otherwise noted, at the Whitewater Township Hall, 5777 Vinton Rd., Williamsburg, Michigan.

Wednesday, April 7, 2021
Wednesday, May 5, 2021
Wednesday, June 2, 2021
Wednesday, July 7, 2021
Wednesday, August 4, 2021
Wednesday, September 1, 2021
Wednesday, October 6, 2021
Wednesday, November 3, 2021
Wednesday, December 1, 2021
Wednesday, January 5, 2022
Wednesday, February 2, 2022
Wednesday, March 2, 2022

A motion to adopt the foregoing Resolution was made by _____ and seconded by _____.

Upon roll call vote, the following voted:

Dean -

Hooper -

Jacobson -

Mangus -

-

-

-

Resolution declared adopted.

I, _____, Secretary of the Whitewater Township Planning Commission, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Planning Commission of said municipality at a meeting held on _____, relative to the adoption of Resolution #PC21-01.
