Chairperson
Margaret Sayles
Vice-Chairperson

Secretary
Jan Motz
Members
Dawn Levey
Kim Wieber
Zach Rudat (BOC Ex Officio)

Clinton County
Planning Commission

Planning and Zoning Director
(Interim) Lynn Wilson

Assistant Planner
Jessica Burnett

Planning & Zoning Secretary
Danelle Rose

PLANNING COMMISSION AGENDA
Meeting of March 12, 2026– 6:00 P.M.
Clinton County Commissioners' Chambers, 2nd floor

1. **Call to Order and Pledge of Allegiance –**
2. **Roll Call –**
3. **Approval of Agenda –**
4. **Approval of Planning Commission Meeting Minutes –**
   - January 8, 2026
5. **Communications –**
   - **A.** Alma Master Plan Discussion Public Notice
   - **B.** Maple Rapids 5-Year Park & Recreation plan
   - **C.** St. Louis Master Plan Discussion Public Notice
   - **D.** Chant-Bailey PA 116
   - **E.** Watertown Township Memorandum Proposed Zoning Amendment
   - **F.** Final City of Ovid Master Plan
   - **G.** Gratiot County Mater Plan Discussion Public Hearing
   - **H.** City of St. Johns 2026-2030 Parks & Recreation Master Plan
   - **I.** Village of Westphalia 5-year Parks and Rec Plan
   - **J.** St. Johns Master Plan & Parks & Recreation Plan
   - **K.** Village of Fowler Recreation Plan
   - **L.** Eagle Township Interim Zoning Ordinance
   - **M.** Victor Township Kennel Discussion & Resolution
   - **N.** Gratiot County Master Plan
   - **O.** Eagle Township adopted ordinance
   - **P.** Voisinet PA116
6. **Public Comments –**
7. **Old Business – None**
8. **New Business –**

   A. Election of Officers
      i. Current Officers
      - -Chairperson Sayles
      - -Vice-Chairperson Vacant
      - -Secretary Motz

B. Discussion of Data Centers

i. Moratorium
ii. Ordinance Amendment

C. Discussion of work on ordinance amendments

i. Add Storage Facilities to A-2 permitted uses
ii. Kennel provisions
iii. Change enforcement from nuisance to civil infraction (new topic)

D. Five Year Master Plan Review

E. Discussion of Planning Commission Vacancies

9. **Other Business –** None
10. **Planning & Zoning Director's Report –**
11. **Planning Commissioner Comments –**
12. **Adjournment –**

Chairperson
Margaret Sayles
Vice Chairperson

Secretary
Jan Motz
Members
Dawn Levey
Kim Wieber
Zach Rudat (BOC Rep.)

Director of Planning & Zoning
(Interim) Lynn Wilson
Assistant Planner
Jessica Burnett
Planning & Zoning Secretary
Danelle Rose

(Draft) Meeting Minutes January 8, 2026 Clinton County Planning Commission

CALL TO ORDER

The Clinton County Planning Commission met on Thursday, January 8, 2026, at 6:00 p.m. with Planning Commission Chairperson Margaret Sayles calling the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given to the flag of the United States of America.

ROLL CALL

Kim Wieber - Present
Margaret Sayles - Present
Jan Motz - Present
Dawn Levey - Present
Zach Rudat - Present

STAFF PRESENT

Lynn Wison, (Interim) Director
Jessica Burnett, Assistant Planner
Danelle Rose, Planning and Zoning Secretary
John Fuentes, County Administrator/Controller
Todd Campbell, Deputy County Administrator
Mallory Reader – Clinton County Legal Counsel

VISITORS

Jennings West, Ovid Township Supervisor
Donna Graham, Greenbush Township
Tammy Ashley, Victor Township
Val Vail Shirey, Victor Township
Kathy George, Essex Township
Duane Call, Ovid Township

Molly Call, Ovid Township

APPROVAL OF PLANNING COMMISSION AGENDA	**PLANNING COMMISION ACTION:** The Agenda was presented for approval. Dawn Levey, supported by Jan Motz, moved to approve the agenda as presented. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]
APPROVAL OF PLANNING COMISSION MEETING MINUTES	**PLANNING COMMISSION ACTION**: December 11, 2025, Meeting Minutes were presented for approval**.** Dawn Levey moved to approve the amended minutes, to correct the spelling of Donna Graham and Margaret Sayles, supported by Jan Motz. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]
CONSENT AGENDA	NONE
PLANNING COMMISION ACTION	NONE
COMMUNICATIONS	**A.** Hamlin Farms LLC, PA 116 / HF Investments PA 116 **B.** Lonier Family Properties LLC PA 116 **C.** Watertown Township Proposed Sign Amendment Ordinance 61 **D.** Eagle Township – RESOLUTION NO. 12-18-2025-02, & ORDINANCE # 12-2025 **E.** Eagle Township meeting schedule
PLANNING COMMISION ACTION	**PLANNING COMMISION ACTION:** Kim Wieber moved, supported by Jan Motz, to place the communications on file. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]
PUBLIC COMMENT	NONE
OLD BUSINESS	*NONE*
NEW BUSINESS (PC-01-26) (PLSU250001)	***(PC-01-26) (PLSU250001) – Application for Special Land Use (Public Hearing)*** Lynn Wilson presented a petition for Special Land Use submitted by Duane & Molly Call. The applicant proposes an Automotive Repair

Special Use Permit

Facility as a Home Occupation, Class B. The business is described as a full-service diesel facility specializing in repair, maintenance, and custom fabrication. The focus, as proposed, is on semi-trucks, trailers, farm equipment, and heavy machinery, while also servicing light duty vehicles and offering custom show car craftmanship. The subject property is located at 1971 S. Meridian Rd., in Section 24 of Ovid Township (Parcel ID: 120-024-100-020-60).

PUBLIC HEARING

Dawn Levey moved, supported by Kim Wieber, to open the public hearing. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]

Jennings West — Ovid Township Supervisor, Mr. West stated that he has visited with all of the neighboring property owners to the Call's property and they have all expressed support for this business proposal.

Duane and Molly Call — Ovid Township, Duane thanked the Planning Commission for the opportunity to have his business in Clinton County.

Margaret Sayles asked Mr. Call if he had the opportunity to speak with the agricultural community to gauge their interest in his services.

Mr. Call responded that he has had conversations with people from the agricultural community and they are very excited about having this service in their community.

There were no more public comments.

Dawn Levey moved to close the public hearing, supported by Kim Wieber. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]

PLANNING COMMISION ACTION

PLANNING COMMISSION ACTION: Jan Motz Moved to recommend **approval** to the Board of Commissioners for the special land use permit (PC-01-26)(PSLU250004) located at 1971 S Meridian Road (Parcel ID: 120-024-100-020-60) in Section 24 of Ovid Township to operate an automotive repair (major) facility inside an existing detached accessory structure with screened outdoor storage as a Home Occupation, Class B since the application as presented meets or can be made to meet the criteria and standards set forth in §6.1(N), §6.1(P), §6.2(F), §4.15(K) and §4.35 of the Clinton County Zoning Ordinance **with the following conditions**:

- ☐ *Hours of operation are limited to 7 AM to 7 PM, Monday through Sunday.*

- ☐ *Outdoor storage of client vehicles for more than 7 days is prohibited.*
- ☐ *Vehicles and equipment awaiting repair shall be stored only in the area identified as "Vehicle Storage Area".*
- ☐ *The dumpster is moved to a location that is accessible to waste management vehicles from a paved surface and screened according to the requirements of §5.8(L).*
- ☐ *Storage trailers and other vehicles not associated with the business are removed from the property.*
- ☐ *Screening is installed and maintained as shown on the site plan.*
- ☐ *In future, materials defined as "hazardous" (based on type and quantity) are stored as required by §5.11 of the Clinton County Zoning Ordinance and in compliance with EGLE regulations.*
- ☐ *The site will implement the site recommendations made by the Clinton County Drain Commissioner if requested by the adjacent neighbor.*
- ☐ *Secure a building permit and approval from the building department for commercial operation in the existing pole building.*
- ☐ *Secure approval from the Mid-Michigan District Health Department prior to adding a water supply to the building.*
- ☐ *The business operates as represented in the Special Land Use permit application and as allowed by the Clinton County Zoning Ordinance.*

supported by Dawn Levey. Motion carried unanimously by roll call vote. [Vote of 5-0, 5 in favor, 0 opposed.]

Kim Wieber – Yes
Margaret Sayles – Yes
Zach Rudat – Yes
Jan Motz – Yes
Dawn Levey - Yes

OTHER BUSINESS

Chairperson Margaret Sayles proposed a vote to cancel the February 12, 2026, Planning Commission Meeting due to lack of business and the planned absence of at least one planning commissioner.

PLANNING COMMISION ACTION	Dawn Levey Moved, supported by Jan Motz to cancel the February 12, 2026, Planning Commission Meeting. Motion carried unanimously. [Vote 5-0, 5 in favor, 0 opposed]
PLANNING AND ZONING STAFF REPORT	NONE
ADJOURNMENT	Chairperson Margaret Sayles called for a motion to adjourn the meeting. Jan Motz moved to adjourn the meeting at 6:32 p.m., supported by Kim Wieber. Motion carried unanimously. [Vote of 5-0, 5 in favor, 0 opposed.]

_____

Danelle Rose
Planning and Zoning Secretary

NOTE: Theses minutes are subject to approval at the next regularly scheduled Planning Commission meeting.

3/12/2026

NEW BUSINESS SUPPORT MATERIALS

- ELECTION OF OFFICERS
  A. Bylaws
  B. Planning Commission terms
- 5-YEAR MASTER PLAN REVIEW
  A. Master Plan Review Memo

Clinton County Planning Commission Bylaws

Adopted: May 13, 2010

Amended: June 8, 2017

Amended: August 12. 2021

Amended: October 26, 2023

The following rules of procedure are hereby adopted by the Clinton County Planning Commission ("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.* and the Open Meetings Act.

Section 1: Purpose

The general purpose of the Clinton County Planning Commission shall be to guide and promote the efficient, coordinated development of the County in a manner which will be promote the public health, safety and general welfare of its people; preserve and protect the County and conserve its natural resources for present and future use; and to address the goals and recommendations of its Comprehensive Plan.

Section 2: Membership

Membership of the Planning Commission shall consist of seven (7) members appointed by the Clinton County Board of Commissioners in accordance with Michigan Statute. Members of the Planning Commission shall be residents of Clinton County and shall be appointed to hold office for a three (3) year term. Vacancies shall be filled by the Clinton County Board of Commissioners.

Section 3: Officers

A. Selection and Tenure - At the first regular meeting each calendar year, the Planning Commission shall select from its membership a chairperson, vice-chairperson and secretary. All officers shall serve a term of one (1) year, or until their successors are selected and assume office, except as noted in Item C, below. All officers shall be eligible for re-election for consecutive terms for the same office.

B. Chairperson - The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission. In the event the office of chairperson becomes vacant, the Planning Commission shall select a successor to the office of chairperson for the unexpired term.[1]

C. Vice-Chairperson - The vice-chairperson shall act in the capacity of the chairperson in his/her absence.

D. Secretary - The secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as ~~the~~ determined by the Planning Commission. The Secretary, or if so designated by the Secretary, the County employee, contractor or department charged with staffing the Planning Commission, shall be responsible for the following:

    1. Minutes - Responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.

[1] This provision shall take effect on January 1, 2024.

2. Correspondence - Responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission and distributing to the Planning Commission all communications, petitions, reports or other written materials addressed to the Planning Commission.

3. Notices - Responsible for the issuance of notices as may be required by the Planning Commission, including Open Meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act or the Michigan Zoning Enabling Act.

E. Zoning Board of Appeals Liaison – As established in the Michigan Zoning Enabling Act, one member of the Zoning Board of Appeals shall also be a member of the Planning Commission to serve as a liaison between the two bodies.

F. Board of County Commissioners Liaison – As established in the Michigan Planning Act, one member of the Board of County Commissioners shall also be a member of the Planning Commission to serve as a liaison between the two bodies.

Section 4: Meetings

The business of the Planning Commission 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 person shall not be excluded from a meeting of the Planning Commission except for breach of the peace committed at the meeting.

A. Regular Meetings - The Planning Commission shall hold not less than six (6) regular meetings each year. At the last regular meeting each calendar year the Planning Commission shall by resolution adopt a schedule for the following calendar year, identifying the date, time and location of such meetings. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall select a suitable alternate meeting date in the same month.

Notice of regular Planning Commission meetings shall be posted at the Clinton County Courthouse within ten (10) days after the Planning Commission's first meeting in each calendar year in accordance with the Open Meetings Act.

B. Special Meetings - Special meetings may be called by the chairperson or upon written request to the chairperson by at least two (2) members of the Planning Commission. Notice of special meetings shall be given to the members of the Planning Commission at least forty-eight (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, or other applicable statute.

D. Public Hearings - All public hearings held by the Planning Commission shall be held as part of a regular or special meeting of the Planning Commission.

E. Agenda - The County employee, contractor or department charged with staffing the Planning Commission shall be responsible for preparing a tentative agenda for Planning Commission meetings. The agenda may be modified by action of the Planning Commission.

F. Agenda Items - The Planning Commission shall not address any new agenda items past 10:00 p.m. without a majority vote of the Planning Commission. Items not considered at a regular meeting shall be postponed until the next regular meeting or special meeting.

G. Quorum - Four (4) members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the Planning Commission may be taken without a quorum present.

H. Voting - 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 or a roll call vote shall be required if requested by any member or directed by the chairperson. Except in the case of conflict of interest, all members, including the chairperson and ex officio member, shall vote on all matters. An affirmative vote of the majority of the members of the Planning Commission is required to approve any part of the Comprehensive Development Plan or amendments to the Plan.

I. 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.

Section 5: Duties of the Planning Commission

The Planning Commission shall perform the following duties:

A. Take such actions as authorized or required by the Michigan Planning Enabling Act including adopting a Master (Comprehensive) Plan, revising the plan regularly and making necessary upgrades as required.

B. Take such actions as authorized or required by the Michigan Zoning Enabling Act including making recommendations on amendments to the Zoning Ordinance.

C. Take such actions as authorized or required by the Clinton County Zoning Ordinance, as amended including reviews or actions on site plans, special land uses, planned unit developments and providing policy guidance to staff on items in the Zoning Ordinance left to the discretion of the Planning Commission.

D. Take such actions as authorized or required by other statute of the State of Michigan or as officially requested by the Clinton County Board of Commissioners.

E. Individual members shall make every effort to sign up and attend one or two Project Review Committee (PRC) meetings each calendar year. PRC meetings are structured to review upcoming Planning Commission agenda items between staff and associated review agencies/jurisdictions and a Planning Commission member attendance often provides an important liaison function. The PRC meeting schedule (sign up) shall be established by the Planning Commission prior to the beginning of each calendar year.

Section 6: Absences, Removals, Resignations and Vacancies

A. To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson or Planning Staff of their intention to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence. Two (2) consecutive, unexcused absences or more than 3 absences in any 12 meeting period shall be considered nonperformance of duty and cause of removal of the member by the Board of County Commissioners.

B. Members may be removed by the Board of Commissioners for nonperformance of duty, misfeasance, malfeasance or nonfeasance in office.

C. A member may resign from the Planning Commission by sending a letter of resignation to the Board of

Commissioners.

D. Vacancies shall be filled by the Board of Commissioners. Successors shall serve out the unexpired term of the member being replaced.

Section 7: Conflict of Interest

A. Before casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member 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.

B. 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 (defined as an individual's father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household) is involved in any request for which the Planning Commission is asked to make a decision.

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 a neighboring property. For the purposes of this section, a neighboring property shall include any property immediately adjoining the property involved in the request.

4. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Planning Commission.

Section 8: Amendments

These bylaws may be amended at any meeting by a vote of the majority of the membership of the Planning Commission provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered.

Clinton County Planning Commission members serve a 3-year term

Margaret Sayles

Term Expires - 5-1-2026

Jan Motz

Term Expires - 5-1-2028

Dawn Levey

Term Expires 5-1-2027

Kim Wieber

Term Expires 5-1-2028

Clinton County
Michigan

TO: Planning Commission

FROM: Lynn Wilson, AICP Planning & Zoning Director (Interim)

DATE: March 4, 2026

SUBJECT: **Five Year Master Plan Review Requirement for Michigan Planning Commissions**

Purpose

This memo provides an overview of the responsibilities of a Planning Commission in Michigan regarding the mandatory five-year review of the community Master Plan, as required by the Michigan Planning Enabling Act (MPEA), Act 33 of 2008. This is a task that appears on the March 2026 Planning Commission agenda. The Planning Commission may begin discussion at the March meeting or may reach a decision and take action at the meeting. This is the required first step in the process to update the Master Plan if that is what

Background

The Master Plan serves as the community's long range policy guide for land use, infrastructure, and development. To ensure the plan remains relevant and aligned with changing conditions, the MPEA establishes a recurring review cycle.

Five Year Review Requirement

Under MCL 125.3845(2), a Planning Commission must, at least every five years after adoption of a Master Plan, conduct a review and make a formal determination on whether to:

- Update the existing Master Plan,
- Undertake a full amendment or,
- Prepare and adopt a new Master Plan.

The statute further requires that the review and the Commission's findings be documented in the meeting minutes of the Commission.

Clinton County Community Development Department
Office of Planning & Zoning
100 East State Street, Suite 1300
St. Johns, Michigan 48879
(989) 227-6591 • planningandzoning@clinton-county.org

Clinton County
Michigan

Role of the Planning Commission

During the five-year review, the Planning Commission is responsible for:

- Evaluating whether the plan's goals, policies, and land use designations still reflect current community conditions and priorities.
- Considering demographic, economic, infrastructure, and land use changes since the plan's adoption.
- Reviewing compliance with state requirements and ensuring proper coordination with neighboring jurisdictions.
- Determining if amendments are necessary to maintain consistency with regional planning and local implementation tools (e.g., zoning).

This requirement is reinforced in statewide guidance indicating that all communities must review their Master Plans every five years to decide whether revisions are needed.

Documentation

The Planning Commission must place its findings and decision regarding whether the Master Plan requires an update into its official minutes, satisfying the transparency and recordkeeping standards required by the MPEA.

Clinton County Community Development Department
Office of Planning & Zoning
100 East State Street, Suite 1300
St. Johns, Michigan 48879
(989) 227-6591 • planningandzoning@clinton-county.org

Public Hearing Notice

ALMA PLANNING COMMISSION
ALMA, GRATIOT COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING
Date: February 2, 2026, Time:6:00 pm, Location: Alma City Hall, 525 E Superior Street, Alma, MI 48801

Please take notice that the Alma Planning Commission will hold a public hearing during a regular meeting of the Planning Commission to be held at the Alma City Hall, located at 525 E Superior Street on February 2, 2026, at 6:00 p.m., or as soon thereafter as the agenda allows, in accordance with Act 33 of 2008, MCL 125.3801 *et. seq.* The purpose of this public hearing is to provide an opportunity for residents and interested citizens to express their opinions, ask questions, and discuss all aspects of the proposed Gratiot Countywide Master Plan to be adopted as The City of Alma master plan. Written comments may be submitted on or before the date of the public hearing by directing any comments to Sara Anderson, City Clerk, 525 E Superior Street, Alma MI, 48801. You may also provide feedback by calling 989-463-8336.

You may review a copy of the proposed Gratiot Countywide Master Plan at The City of Alma, 525 E Superior Street, Alma MI 48801. You may also review and download a copy of the proposed Master Plan at: bit.ly/DraftGCMP25 . You may also obtain a copy of the proposed Master Plan by contacting City Clerk, Sara Anderson at 989-463-8336. Please do not hesitate to contact the phone number above or utilize the Michigan Relay Service at 7-1-1 (TDD) to request accommodations to attend the public hearing at least 72 hours prior to the public hearing.

Respectfully submitted,

Alma Planning Commission

Dated: January 5, 2025

Village of Maple Rapids
118 W Adelaide
PO Box 200
Maple Rapids, MI 48853
Ph: 989-682-9227 Fax: 989-682-4411

January 4, 2026

Clinton County Planning Commission
Clinton County Courthouse
100 E State Street
Board of County Commissioners' Chambers, 2nd Floor
St Johns, MI 48879

The Village of Maple Rapids has recently passed our 5-Year Park & Recreation Plan 2026-2031. We are in the process of submitting it to the State of Michigan DNR. As part the requirements they have asked that a copy be sent to the County Planning Agency. Thus, we are forwarding this to each of you on the Clinton County Planning Commission.

If you have any questions or need any additional information, please contact our contact for our Parks and Recreation Committee, Amanda VanEtten at amanda.vanetten15@gmail.com.

Thank you

Melinda Thomas

Melinda (Mindy) Thomas
Village Treasurer



Village of Maple Rapids

Clinton County, Michigan

5-Year Park & Recreation Plan 2026 – 2031

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Goals and Objectives……Pg. 21
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Introduction and Benefits of Outdoor Recreation

Outdoor recreation is vital to both the quality of life and economic well-being of Maple Rapids. Our public parks serve as inclusive spaces where residents and visitors alike can connect with nature, family, and community. These areas offer valuable natural resources such as rivers, wetlands, and forests, as well as human-made amenities including sports fields, picnic areas, playgrounds and community areas.

Recreation is a voluntary pursuit, yet it plays a critical role in personal fulfillment, public health and community engagement. Accessible to individuals of all backgrounds, public recreation venues promote equity and social cohesion. They provide opportunities for healthy physical activity, emotional well-being, and environmental awareness.

Furthermore, the impact of outdoor recreation extends beyond individual participants. Local businesses benefit from increased foot traffic and demand for goods and services such as food, sporting equipment, and souvenirs. These activities help strengthen the town's economic base while reinforcing our shared responsibility to protect clean air, water, and natural habitats.

Investing in outdoor recreation infrastructure and programming is an investment in the health, unity, and sustainability of Maple Rapids.

Rationale for the Plan

The purpose of this plan is to guide the future development of parks, outdoor recreation areas, and open spaces within Maple Rapids, Clinton County, Michigan, for the years 2026 through 2031. The village of Maple Rapids previous plan expired in 2013. Since that time, Maple Rapids has been ineligible to receive state or federal grants to support outdoor recreation or the development of facilities, expansion and maintenance of current recreation points in the village. A critical component of this plan is to ensure eligibility for grants aimed at developing recreational facilities. Specifically, this plan will align with the requirements set by the Michigan Department of Natural Resources (DNR), which is necessary to access funding sources like the Michigan Natural Resources Trust Fund (MNRTF) and the federal Land and Water Conservation Fund (LWCF).

Importance of Grant Funding

The MNRTF, established by Michigan voters in 1984, and the LWCF, created in 1965, are vital sources of funding for land acquisition and the development of outdoor recreation facilities. These funds are substantial and represent a key opportunity for Maple Rapids to enhance its public recreational resources.

- **MNRTF Funding**: This fund is specifically designed to support the acquisition and development of public outdoor recreation areas. Its revenue is generated from royalties and lease payments on state-owned minerals, such as oil, natural gas, and hard rock minerals. The MNRTF represents a unique model of converting one-time financial gains from non-renewable resources into lasting public benefit. To date, Maple Rapids has not received any MNRTF grants, although the opportunity to apply remains available through this plan.
- **LWCF Funding**: The federal Land and Water Conservation Fund also provides grants for the development of outdoor recreational facilities. The program is designed to support improvements at the federal, state, and local government levels. The funds come from oil and gas lease royalties on federal lands. The LWCF program operates on a competitive annual basis, and having an approved 5-year outdoor recreation plan is a prerequisite for securing funding.

Public Involvement and Transparency

This plan emphasizes public participation throughout the development process. Engaging the citizens of Maple Rapids in decision-making ensures that the recreation plan aligns with community needs and desires. Public meetings, surveys, and input from the Parks and Recreation Committee will be used to gather feedback, identify priorities, and assess existing resources. The goal is to develop a plan that accurately reflects the desires of the community while making strategic improvements to the current outdoor recreation offerings.

Alignment with DNR Planning Process

To meet DNR standards, the planning process includes a comprehensive review of current resources, opportunities for growth, and the surrounding jurisdiction's recreational infrastructure. The process is intended to ensure that Maple Rapids can maintain and improve existing resources, while also planning for new opportunities that align with both community input and broader regional needs. By following the DNR's prescribed process, Maple Rapids will also demonstrate its commitment to long-term stewardship of public spaces.

Enhancing Accessibility and Non-Motorized Recreation

An important aspect of this plan is aligning with broader state initiatives, such as Michigan Public Act 51 of 1951 (Transportation Fund Act), which mandates that a portion of transportation funds be dedicated to non-motorized transportation facilities. This includes the development of bike paths, pedestrian routes, and other infrastructure that enhances accessibility and outdoor recreational options. Maple Rapids will seek to integrate such facilities where possible, benefiting not only local residents but also visitors to the community.

Final Thoughts

Without an updated and approved outdoor recreation plan, Maple Rapids would remain ineligible for crucial funding that could enhance public outdoor spaces and support the well-being of its residents. By creating a robust, community-driven plan, the village can open the door to substantial financial resources from the MNRTF, LWCF, and other sources, while fostering a future of accessible, sustainable outdoor recreation opportunities. This plan sets the stage for Maple Rapids to enhance its parks and recreation infrastructure, contribute to the vitality of the community, and provide lasting benefits to current and future generations.

Required Plan Content

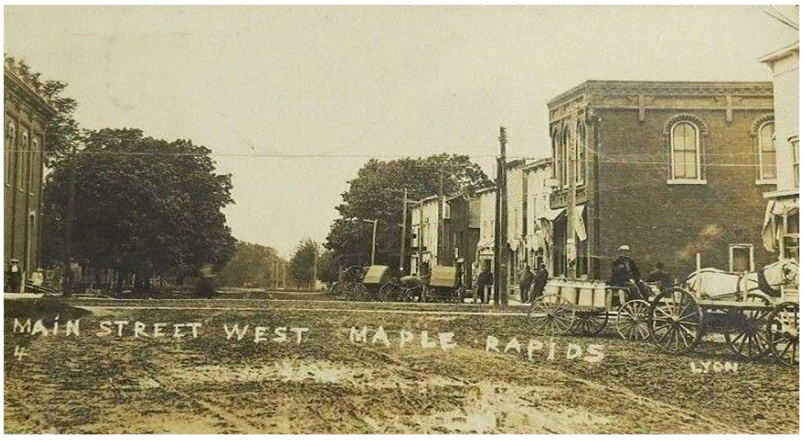
The DNR requires the following for an approved plan:

- Community Description
- Administrative Structure
- Recreation Inventory
- Resource Inventory
- Description of the Planning Process
- Description of the Public Input Process
- Goals and Objectives
- Action Program

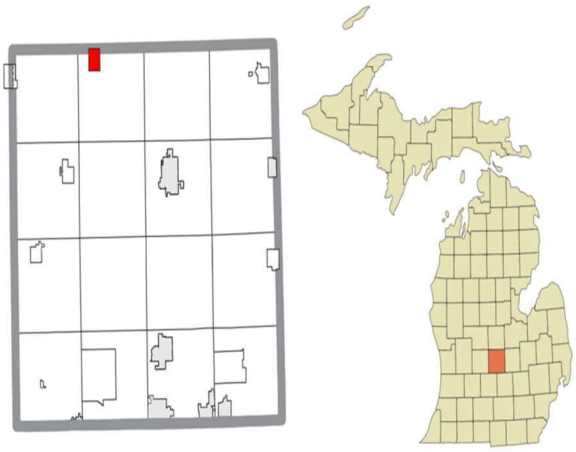
The Village of Maple Rapids Plan fully meets these requirements.

Community Description

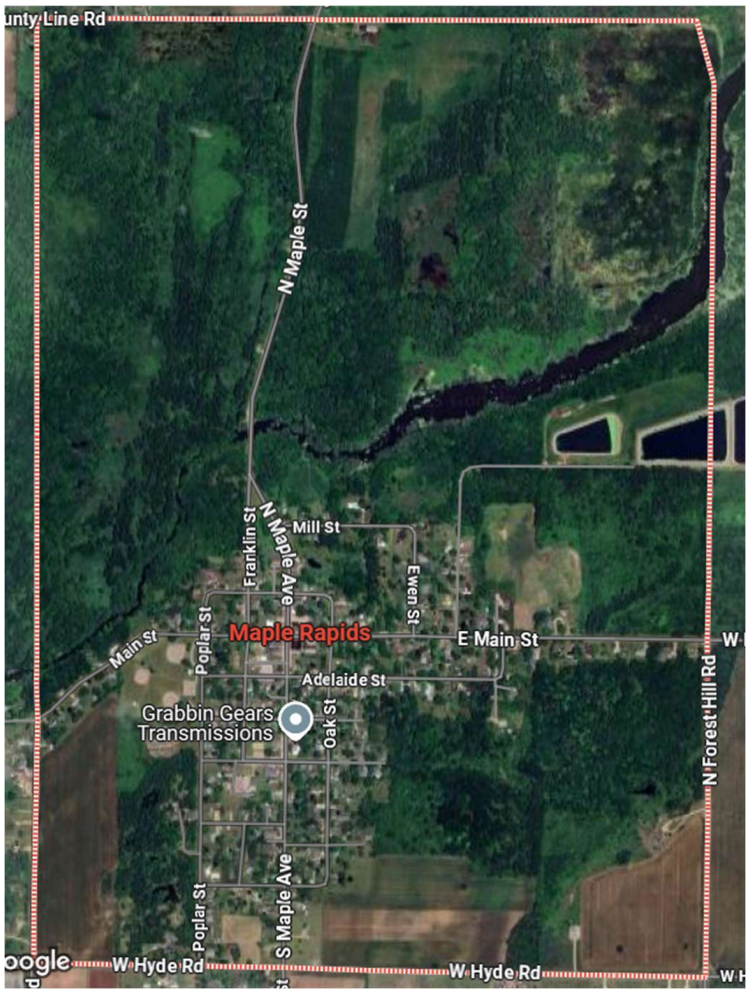
The Village of Maple Rapids is in Essex Township in northwestern Clinton County. It is named after rapids on the Maple River in 1826 by trader George Campau. Native Americans had used the site to fish, grow crops and live prior to and during the early development of Maple Rapids during Michigan settlement. They are honored by a monument adjacent to the picnic shelter in the Village Park today. The Village was platted in 1852 and incorporated as a general law village in 1881. Then, as now, the Maple River is the key natural feature of the area.



Main Street 1912



Location Map



Map of the village

Social Characteristics

Population

From the 2010 to 2020 census, the Village saw a decrease in population, from 643 in 2010 to 573 in 2020. Since then, the US Bureau of the Census estimates that the population has increased to 584 as of 2024.

Based on the 2020 Census, there were 296 households of which 31.7% had children under the age of 18 living with them, 42.6% were married couples living together without kids. 26.9% were married couples living together with kids, for a total 69.5% of households with a married couple living together. 15.8% had a female householder with no husband present, 4.8% had a male householder with no wife present, and 25.9% were non-families. 20.3% of all households were made up of individuals of which 9.6% had someone living alone who was 65 years of age or older. The average household size was 2.5 and the average family size was 3.06.

Source: U.S. Census Bureau, Census 2020.

Median Age

The median age in the village was 36.5 years. 20.6% of residents were under the age of 18; 13.1% were between the ages of 18 and 24; 25.6% were from 25 to 44; 15.1% were from 45 to 64; and 15.3% were 65 years of age or older. Gender makeup was 50.2% male and 49.2% female.

Source: U.S. Census Bureau, Census 2020.

Income, Poverty and Employment

Year-round Maple Rapids households had a median income of approximately $50,357 in 2023, which is about two-thirds of the amount in the Lansing-East Lansing, Mi Metro area. Per capita income in 2023 was around $25,019, which is about two-thirds of the median in the Lansing-East Lansing metro area and Michigan as a whole. The Overall Poverty Rate in 2023 was approximately 39%, more than double the rate in the Lansing-East Lansing metro area and Michigan. Child Poverty Rate was approximately 73% Around 60.3% of residents aged 16 and older were in the labor force. Approximately 3.0% among those aged 25 and over were unemployed.

These figures indicate that Maple Rapids faced economic challenges in 2023, with a significant portion of the population living below the poverty line and a lower median household income compared to state and regional averages.

Source: Censusreporter.org 2025

Physical Characteristics

Location & Transportation Network

Maple Rapids is a small village located in Essex Township, Clinton County, Michigan. Situated approximately 10 miles northwest of St. Johns, it encompasses an area of 1.42 square miles, with 1.36 square miles of land and 0.06 square miles of water. The village is positioned within the Maple River State Game Area, offering a blend of rural charm and natural beauty.

Due to its rural setting, Maple Rapids lacks a comprehensive public transit system. However, residents and visitors have access to several transportation options:

Personal Vehicles - The most common mode of transportation in Maple Rapids is personal vehicles. The village is accessible via local roads connecting to nearby towns and cities.

Rideshare Services - Rideshare services like Uber and Lyft are available in Maple Rapids. These platforms offer various ride options, including standard and XL services, providing flexibility for local travel.

Clinton County Transit (CCT) - Clinton County Transit offers public transportation services in the region. While specific routes and schedules may vary, CCT provides an essential link for residents needing access to broader areas within the county.

Maple Rapids also has nearby highways, and access points such as M-21: A major east-west route connecting to nearby towns and cities, M-57: Another significant highway providing access to the region and US-127: A major North-South route connecting to nearby towns and cities.

These highways facilitate travel to and from Maple Rapids, connecting it to the broader transportation network of Michigan.

Climate

Maple Rapids weather, like all of Michigan's, influences the recreational opportunities available throughout the year. The area can support a variety of activities throughout the year from swimming to skiing.

Temperature Overview

- Summer: July is the warmest month, with average highs around 82°F (28°C) and lows near 60°F (16°C).
- Winter: January is the coldest month, with average highs around 29°F (-2°C) and lows near 15°F

(-9°C).
- Annual Range: Temperatures typically range between 25°F (-4°C) and 75°F (24°C) throughout the year, though extremes can reach as low as -17°F (-27°C) and as high as 96°F (36°C).

Precipitation & Snowfall

- Annual Precipitation: Approximately 39.8 inches (1011 mm) of rain annually, with 131 rainy days
- Monthly Variation: May, June, and October are the wettest months, averaging 4.8 inches (122 mm) of rain per month.
- Snowfall: Receives about 44 inches (112 cm) of snow per year, with January being the snowiest month at 13.4 inches (34 cm).

Sunshine & Daylight

- Annual Sunshine: Approximately 2,770 hours of sunshine per year.
- Sunniest Months: June, July, and August average 11 hours of sunshine per day.
- Daylight Hours: Daylight varies from 9 hours 3 minutes in December to 15 hours 16 minutes in June.

Climate Comfort

Maple Rapids boasts a high comfort index of 9.3 out of 10, indicating a more comfortable year-round climate compared to many other places in Michigan.

Source: nomadseason - Monthly climate in Maple Rapids, Michigan, United States

Topography & Landforms

The village is positioned along the Maple River, a 74.1-mile tributary of the Grand River, which meanders through Clinton, Gratiot, and Ionia counties before converging with the Grand River at Muir

The village's elevation ranges from approximately 652 feet to 688 feet above sea level, indicating a relatively flat landscape with slight undulations.

The village is next to the Maple River State Game Area which is an expansive 9,252-acre conservation area that stretches along the Maple River and includes marshlands, wetlands, and forested regions. The area provides diverse habitats for wildlife and is a significant feature of the local landscape.

The vicinity of Maple Rapids is predominantly agricultural, with expansive fields of corn, soybeans, wheat, and hay. These flat and fertile lands are integral to the region's economy and contribute to its rural character.

Source: mapcarta

Water Resources & Drainage

Maple Rapids, Michigan, is situated within the Maple River watershed which is a significant tributary of the Grand River. This watershed spans approximately 944 square miles across Clinton, Gratiot, Ionia, and Shiawassee counties, encompassing the Upper Maple River Watershed. The Maple River originates in Shiawassee County and flows westward through Clinton, Gratiot, and Ionia counties before joining the Grand River at Muir. The river is impounded by five major dams: Lake Victoria, Lake Ovid, Elsie, Rainbow, and Hubbardston. These dams have historically altered the river's flow and ecology. The Maple River State Game Area, encompassing portions of Clinton, Gratiot, and Ionia counties, is a notable feature within the watershed. This area includes wetlands and floodplain forests that provide critical habitat for wildlife and help in flood water retention.

The Maple River watershed faces challenges related to non-point source pollution, which occurs when pollutants are carried into water bodies by runoff from rainfall or snowmelt. Efforts have been made to address these issues through watershed management planning, focusing on reducing sediment and nutrient runoff into the river.

Additionally, the U.S. Fish and Wildlife Service has been involved in projects to restore natural hydrological connections within the watershed. For instance, the Landscape-scale Maple River Reconnection Project aims to replace culverts and restore stream channels that have been disconnected since the 1800s. This restoration is expected to reduce flooding, enhance fish habitat, and improve water quality.

Source: Upper Maple River WATERSHED MANAGEMENT PLAN

Fish and Wildlife

Maple Rapids is located next to the Maple River and its surrounding wetlands support a diverse range of fish species, including:

- Northern Pike
- Largemouth and Smallmouth Bass
- Northern and Black Crappie
- Bluegill and Pumpkinseed Sunfish
- Yellow Perch
- Channel Catfish and Bullhead Catfish
- Bowfin
- Rock Bass

These species thrive in the river's varied habitats, from marshes to open water areas.

The area is also a prime destination for birdwatching, especially during migration seasons. Notable bird

species include:

- Tundra Swans: Often observed in early spring.
- Bald Eagles: Commonly sighted year-round.
- Prothonotary Warblers: Nest in wooded swamps.
- Wood Ducks: Nesting boxes have been installed to support their populations.
- Various Ducks: Including Northern Shovelers, Pintails, Ring-necked Ducks, Redheads, and Ruddy Ducks.
- Wading Birds: Such as Great Blue Herons and Great Egrets.
- Shorebirds: Including Hudsonian Godwits and Least Sandpipers.
- Raptors: Like Ospreys and Rough-legged Hawks.
- Other Species: Including Sandhill Cranes, Snowy Egrets, and King Rails.

The area is also home to various mammals, including:

- White-tailed Deer
- Coyotes
- Beavers
- Muskrats
- Foxes
- Raccoons
- Mink
- Porcupines
- Chipmunks
- Squirrels
- Bats
- Rabbits

Utilities & Community Services

Although the Village is a small community, it offers an array of full services. Water is supplied via a well system and sewer needs are met by a lagoon system.

The Village of Maple Rapids has partnered with the Elsie Police Department for contractual hours of dedicated police coverage per week. When the Elsie Officer is not on duty, Maple Rapids is covered by the Clinton County Sheriff's Office and Michigan State Police.

Fire protection is provided by the Maple Rapids Department located in Maple Rapids. The department also serves the Townships of Essex, Fulton, Lebanon, and North Shade.

Administrative Structure

Roles of Commissions/Advisory Boards

The Village of Maple Rapids is governed as a general law village. It is governed by a Village council of 7 members. The Village Council meets the 1st Wednesday of every month at 7:30 p.m. at the Community Center, 209 W. Union Street, Maple Rapids.

Department, Authority, Staff Description and Organization Chart

Membership of the Village Council is:

- William Schmidt – President
- Paul Sorah – President Pro Tempore
- Mitch Leiby – Trustee
- Zackery Manning - Trustee
- Heidi S Holland - Trustee
- Amanda VanEtten - Trustee
- Sharon Fitzpatrick – Clerk
- Melinda Thomas – Treasurer

The Park and Recreation Committee of the Village Council is:

- Zackery Manning
- Heidi S Holland
- Amanda VanEtten
- Cheryl Sorah - Village Resident committee member
- Tracey Coffin - Village Resident committee member

The Village Council approves the Village budget and any expenditures to improve, repair and operate the parks and recreation program within the Village. Work is carried out by two Village employees, DPW Supervisor and full-time employee Mike Townsend and DPW full-time employee Tate Bennett. Park maintenance is one of many duties of the two DPW employees. Those park maintenance activities include but are not limited to:

- Mow all lawns
- Empty Trash Containers – pickup any trash on ground
- Install seasonal park equipment in spring and uninstall and store away in winter
- Maintain all equipment in good repair.
- Maintain the ball fields

- Supervise all capital improvements/renovations that involve volunteers
- Maintain Veterans Memorial Monument in the park
- Set up and take down for special events
- Maintaining public restroom facilities

Park and Recreation Programming/Programs/Volunteers

Park and recreation programming are provided by citizen volunteers and non-profit organizations to which many residents belong. One key set of activities are community baseball, softball and t-ball leagues on the three ball diamonds. The Maple Rapids Ball Boosters are critical to this effort. Other important Village recreation programs include:

- Annual Rabbit Hunt which promotes adult and youth hunting with an emphasis on safety and enjoyment
- Village parks are used throughout the year for various family reunions, birthdays, open houses and various other events

Key volunteer contributions include:

- Maple Rapids Ball Boosters - Operate Village baseball, softball and t-ball leagues.
- Maple Rapids Business Association
- Community Volunteers with the Village Festival committee for community clean-up days

In addition to the above-mentioned efforts, the Village has also worked with the Fulton School District. The district has used the Village ball fields for tournaments and have shared equipment between the Village and the school district on occasion. Other contributions and cooperation include various church donations for new and updated recreational equipment. Scouts and Scouting leadership have been especially helpful to the parks. For example, in 2009 an Eagle Scout added 6 park benches to our ball fields, constructing two handicap accessible benches at each field, providing access and comfort, especially to disabled visitors such as grandparents as they enjoy seeing their grandchildren involved in recreation. In 2020, an Eagle Scout installed 2 horseshoe pits and a musical play area to Veterans Memorial Park. The Village has also worked with Habitat for Humanity in the past taking part in their “Rock the Block” program which assisted selected village residents spruce up their homes or structures.

Current Funding Sources and Park and Recreation Budget

The Park and Recreation budget comes from limited General Fund dollars annually appropriated for parks & recreation. In 2023 $8,000 was budgeted for expenses and $898.91 was expensed. The budget for 2024 was again $8,000 and $7,134.14 was expensed. These expenses include bark, sand, wood chips, diamond dust for the ball fields, any equipment that needs replacing or is added and all supplies. In addition, the Village expended labor and equipment costs to maintain the parks of $15,000 in 2024. This is about the same amount that is spent each year for maintenance and will continue in the future. For baseball, softball and t-ball, the Maple Rapids Ball Boosters are the key funding source, using funds raised

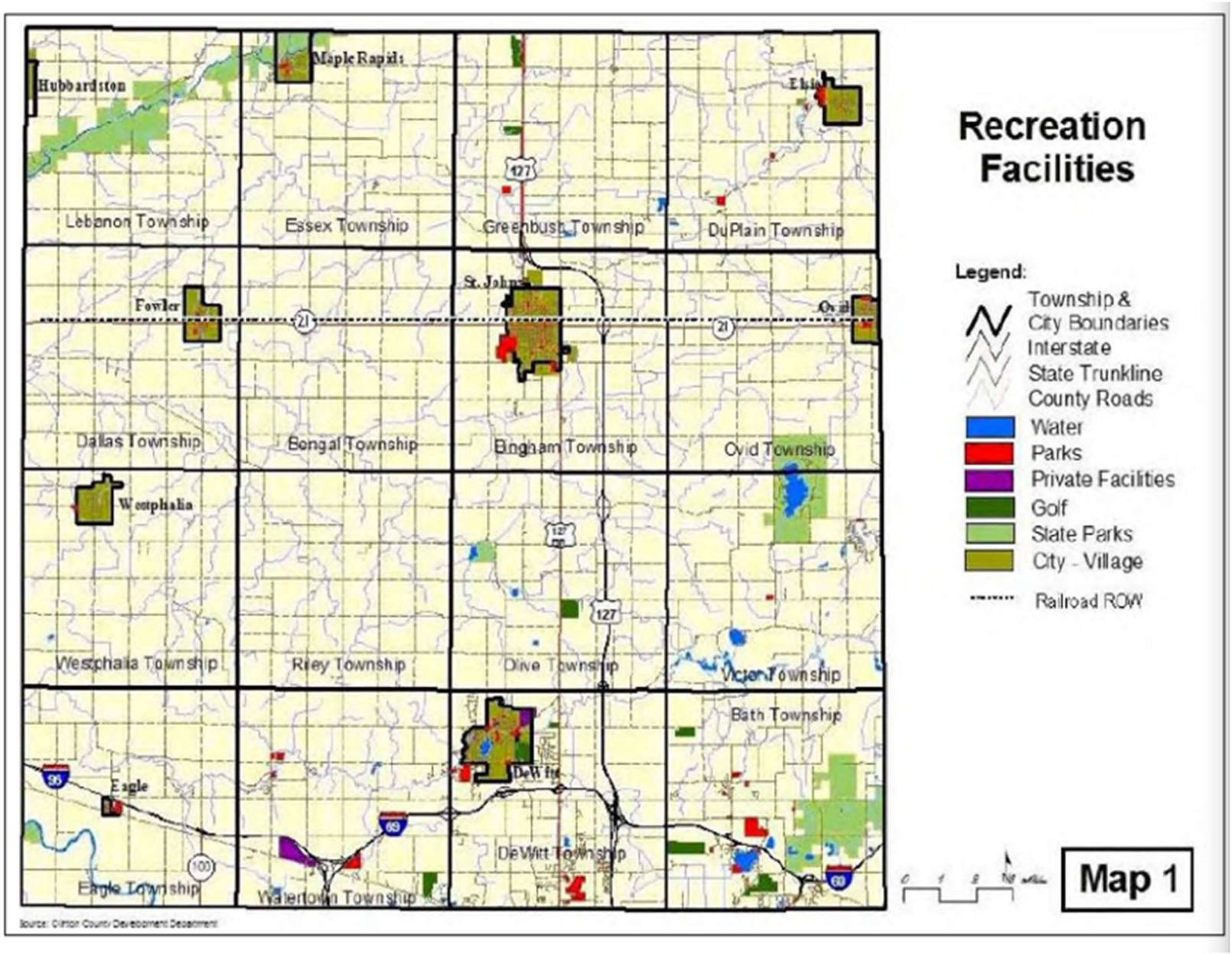
throughout the year and volunteer labor to provide this popular program with some assistance from the Village. The restroom facilities at the ball fields are also used during many other community events besides ball games as they adjoin much of the other parkland in the Village and are very close to downtown.

Relationship with Schools, Other Public Agencies and Private Organizations

The Village of Maple Rapids is within the Fulton School District. The key public agency partner to the Village in terms of outdoor recreation opportunity is the Michigan Department of Natural Resources and Environment Wildlife and Recreation Divisions. The Wildlife Division manages the 11-thousand-acre Maple River State Game Area, a set of parcels with many in-holdings that provide outstanding public hunting and wildlife viewing opportunities. This land has little development, with county roads, some DNR minimum maintenance roads and parking areas comprising most of the development. The area does not have outdoor recreation facilities such as picnic areas and a designated non-motorized trail system, as the focus is to provide optimal wildlife habitat and to focus on fish and wildlife-oriented recreation such as hunting, fishing and wildlife viewing. The most significant development is related to former diked agricultural areas that have been purchased by the DNR and restored as highly productive emergent
wetlands. These are located upstream (east northeast) from Maple Rapids on both sides of US-127 in a series of wetland units A-E and additional satellite units. The Recreation Division manages a number of boating access sites on the Maple River. However, none are in the Village and boating access in the Village is not available for trailered boats and difficult for carry-in craft on DNR State Game Area lands on the north side of the river (just north of the Village). The parking is limited, the road is primitive and there is no clearly defined launch site for any type of watercraft, even a canoe or kayak.

Recreation and Resource Inventory

Using the inventory for the 2025-2029 Clinton County Park, Recreation and Open Space Plan and Maple Rapids Parks and Recreation Committee, the following recreation resources are available in Clinton County townships of Essex, Lebanon, Greenbush, Dallas, and Bengal, which encompasses the Village of Maple Rapids.


Recreation Facilities
Legend:
Township & City Boundaries
Interstate
State Trunkline
County Roads
Water
Parks
Private Facilities
Golf
State Parks
City - Village
Railroad ROW
Hubbardston
Maple Rapids
Lebanon Township
Essex Township
Greenbush Township
DuPlain Township
Fowler
St. Johns
Ovid
Dallas Township
Bengal Township
Bingham Township
Ovid Township
Westphalia
Westphalia Township
Riley Township
Dallas Township
Victor Township
Eagle
Eagle Township
Watertown Township
DeWitt
DeWitt Township
Bath Township
Map 1
Source: Clinton County Development Department

State Owned Recreation

The State of Michigan has key facilities and lands that help meet outdoor recreational needs. One of these areas is in northern Clinton County.

- Maple River State Game Area is located in Lebanon and Essex Townships in Clinton County with additional acreage in Gratiot and Ionia County, this area has an extensive system of forests, wetlands and some widely spaced, generally primitive river access sites. The 11,000-acre area is managed for wildlife habitat, which in turn provides opportunities for hunting, fishing, wildlife viewing, boating and walking/hiking. Non-motorized trails are generally unimproved and provided to facilitate hunter access. The Maple River traverses the area and provides boating opportunities for canoes and other small boats as well as fishing. The river has a significant floodplain and navigation for powered watercraft is often challenging due to log jams, shallow water, etc.

Clinton County Facilities

Northeast Clinton County now owns two park areas. These include Clinton Lakes and Motz County Park in Greenbush Township.

- Frances Motz County Park is a 42-acre site which features a 15-acre lake. This park provides a swimming beach, bath house and fishing platforms. All the facilities are universally accessible.
- Clinton Lakes County Park is a 272-acre site which features two separate lakes, one of 90 acres and a second of 12 acres. This park provides a non-motorized accessible trail system, accessible carry-in boat launch, fishing, picnic tables, and swimming.

Township Facilities

The four townships in the NW corner of Clinton County offer a limited range of developed recreational opportunities. Several townships offer nothing more than a small playground area adjacent to their township hall or no facilities at all.

Dallas Township

- Fowler Conservation Club is a private 10-acre site with woods and river access. It also has an outdoor pavilion and a building that can be rented for various activities.

City and Village Recreation

The cities and villages within Clinton County offer diverse recreational opportunities just like the townships. Some have small community parks while others have larger parks and activity

programs. Those cities and villages without established facilities are not listed.

Village of Fowler

- Fink Park contains softball/baseball diamonds, playground, and a pavilion and restrooms.
- Victor Street Park contains an ice rink and playground.
- Field of Dreams includes a playground and play equipment; picnic area and pavilion.
- Trailhead to the state-owned Fred Meijer CIS Trail that was constructed in 2014.

Village of Maple Rapids

- Maple Rapids Memorial Ball Fields
- Maple Rapids Village Park
- Maple Rapids Community Center

Source: Clinton County Park, Recreation and Green Space Plan 2025-2029

School Facilities

The two public school districts and various private schools that serve the Northwest corner of Clinton County residents offer various recreational opportunities. Playgrounds and sports fields including baseball, football, soccer and running tracks are available at most, if not all these schools. Although their size and style vary, the primary focus is that they offer recreational activities. The following lists the two public school districts; however, no attempt has been made to inventory each school district's facilities at this time.

- Fowler
- Fulton

School facilities play a minor role in the provision of recreational opportunities within the County. They meet the local recreational needs and provide the majority of the local indoor recreational experiences. The availability of school recreational facilities to the general public varies by school district.

Private Facilities

There are also numerous private facilities that have not been inventoried in detail since they predominantly offer specific recreational opportunities that may not appeal to a broad enough cross section of the county population. They include golf courses, shooting and archery clubs.

Detailed Inventory of Community Owned Parks and Recreation Facilities in Village of Maple Rapids

The Village of Maple Rapids Parks and Recreation Committee evaluated the park and recreation facilities in the Village of Maple Rapids through an on-site inspection of all facilities on June 24, 2025,

and through records and information provided by the Village of Maple Rapids. All Village Park facilities are designed to serve the entire Village population and also serve those in the surrounding township (Lebanon) which has no township facilities. The park type for all is local. The detailed inventory of the Village park and recreation facilities uses the DNR's rating scale of accessibility found on page 7 in the Guidelines for Development of Community Park, Recreation, Open Space and Green Space Plans:

1=none of the facilities/park areas meet accessibility guidelines
2=some of the facilities/park areas meet accessibility guidelines
3=most of the facilities/park areas meet accessibility guidelines
4=entire park meets accessibility guidelines
5=entire park developed/renovated using principles of universal design

- Maple Rapids has the Memorial Ball Fields. This 3-field, 15-acre complex serves all ages of ball players from T-ball to adult leagues. Rest room facilities are both porta johns (that are accessible) and a cinder block building with toilets, wash basins and hand towel dispensers. They are not considered fully accessible and need to be upgraded as a drain in front of the doorways has a grate that runs the same way as wheelchair traffic would and the grates are an inch wide, creating a hazard for those in a wheelchair with narrow tires or a person with a cane. However, the grounds of the ball fields are firm with minimal slope of less than 4%, providing access across the fields and in the large, well-maintained area for spectators. While the bleachers are not accessible, there is considerable room to sit with a wheelchair or other portable chair on firm ground and in the shade of trees directly adjacent to parking. There is no lip from the roadway, the grassy parking areas to spectator areas or onto the field, allowing mobility impaired individuals to use the full area. Trash receptacles are 36" in height and require less than 5 pounds of pressure to open (swinging cover on a hinge), thus are accessible. Hence, there are no inherent characteristics of the site that would preclude universal accessibility and renovation of the permanent restrooms is the only change required to provide universal access.

- The two tennis courts are level with the surrounding landscape and are accessible. This area would be rated a 3 with the clear potential to be readily upgraded to a 5.

- Maple Rapids Veterans Memorial Park provides a picnic pavilion, playground and veteran's memorial on approximately 1.5 acres. The site, while bounded by streets with low-speed limits (25mph) and some sidewalks, does not have a designated non-motorized trail. Rest room facilities are located across the street and shared with the baseball fields and have already been described. The grounds of the park areas are of minimal slope with firm soils. Parking is on the adjacent streets. Many access the park on foot or by bicycle.

    - The picnic shelter has approximately 1,000 square feet of concrete floor space and is accessible except for a lip as the concrete and left-over form boards from pouring the concrete create a lip of greater than an inch. This could be easily remedied by creating a couple of cutouts to accommodate mobility impaired patrons. There are 15 tables in the shelter, none of which are accessible. Access could be created by modifying existing tables by extending top boards or removing a seat on one side.

    - The playground area is approximately 17,000 square feet and contains two playground slide/platform structures made of plastic that are “modern”. In addition, there are multiple swing sets that have a variety of swings. The area surrounding the playground equipment is covered in wood mulch and there are no visible concrete abutments sticking up to endanger children.
    - 2 regulation size horseshoe pits are on the Northwest corner.
    - The drinking fountain is 34” above a sidewalk and has no lip to deter access. It has a push button mechanism to activate it and this can be accomplished with less than 5 pounds of pressure.
    - The Veterans Memorial Park is semi-accessible with a sidewalk with no lip for access and no measurable slope.
    - In summary, the park is rated as a 3 with only minor improvements needed to every facility except the playground, which would create considerable expense with rubber matting needed to raise it to the universally accessible level. If the playground is excluded from this assessment, the rest of the park could very easily be upgraded to a 5.
- Approximately ¼ acer of park land Northeast corner of Franklin and Union Streets. Includes a basketball court and volleyball court. This site is currently unnamed. It is rated as a 3.
    - The basketball court is concrete with no lip to preclude access by a mobility impaired individual.
    - A sand volleyball court has no lip to preclude access by a mobility impaired individual. The area has bleachers to accommodate spectators. They are not accessible.
- North Point Park is approximately 1 acre of parkland in the triangle between Maple and Franklin is level, firm and well mowed grass. It does not contain any recreational facilities and appears to be occasionally inundated during high water in the Maple River floodplain. It is rated as a 1.
- Lamplighter Park is approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Main St. and Maple Ave. It contains four picnic tables and four benches for seating. It does not contain any recreational facilities and is used primarily during the two days of the DALMAC bike tour. It is rated as a 3.
- Approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Maple Ave and Adelaide St. This site is named the Steigerwald Memorial Park. It does not contain any recreation facilities. It is rated a 3.
- Maple Rapids Community Center provides a meeting place for a wide variety of community events and can also be reserved for family related events (e.g. reunion, wedding reception, etc.). The community center is on grade with no steps up or down and a door jamb that does not preclude access by a mobility impaired individual. Doors are 36” to accommodate a person in a wheelchair. The restrooms at the community center are accessible, but the building is locked unless opened for a specific event. Hence, the rest rooms are not available at all the hours the

adjacent parkland is in use. Parking is available for more than 50 cars in a paved lot adjacent to the building with no curb or significant variation in grade. On-street paved parking is also available. Requisite handicapper parking sites are marked and provide the closest and most direct access to the building. The center is rated as a 5.

One final observation is that the Village takes great pride in excellent maintenance of all park and recreation facilities. The grass is mowed frequently throughout the summer, the ball fields in fields are maintained in excellent condition, signage was accurate, all structures were properly painted, sidewalks were level and in good repair, trees (both established and recently planted) were flourishing, monuments commemorating Native Americans, a founder of the baseball fields, donation of land by another resident and the Veteran's Memorial is in good condition. Plans are being made to upgrade the Veterans plaques to recognize all wars and upgrade playground equipment. All playground equipment was serviceable, with no visible rust, flaking paint or concrete abutments. This maintenance involves both Village employees and many volunteers from the community.

DNR Recreation Grant Inventory

The Village of Maple Rapids has not received any grants from the Land and Water Conservation Fund, Michigan Natural Resources Trust Fund, Clean Michigan Initiative or the 1988 Recreation Bond Fund. Hence, the village is eligible for an additional 20 points under the current MNRTF scoring system as having never received such funding.

Summary

As the inventory and community description illustrate, while Maple Rapids has a few other public and private recreation facilities nearby, the village is somewhat isolated and is very oriented to the Maple River and surrounding environs. It has done an excellent job with its existing parkland which is focused on providing active (baseball, softball, basketball, tennis, etc.) and passive (picnic, playground, quiet and shaded public space) recreation for community residents and visitors and on commemorating original inhabitants of the area, veterans and civic minded persons who were champions for local recreation initiatives. However, the connection to local natural resource-based recreation is minimal. The Maple River State Game Area, due to its undeveloped nature and focus on wildlife habitat does not fully meet the needs of Village residents to effectively access and enjoy the river in the Village. Nor does it provide access for even the able-bodied, let alone the disabled to participate in outdoor recreation activities such as fishing, launching a watercraft or other resource-based activities. Access sites provided by the DNR are outside the Village, often flooded during high water periods and have a reputation as sites receiving relatively little management and security attention, resulting in access challenges, litter and a sense of insecurity. This is not conducive to meeting the outdoor recreational needs of Village residents as the following Recreation Needs Assessment will further illuminate.

Planning and Public Input Process

The planning process used is what the DNR, in the Guidelines for the Development of Community Park and Recreation, Open Space and Greenway Plans, characterizes as the "systems approach to planning". The needs of the community are assessed by multiple levels of public input and translated into a framework for meeting the physical, spatial and facility requirements to satisfy those needs.

Maple Rapids Recreation Needs Assessment

The needs assessment is presented using the questionnaire that was distributed to all Village households in summer 2025. Frequencies in the form of percentages are placed directly on the questionnaire, making it easy for the reader to follow the flow of the questionnaire and the information. The questionnaire was developed by the authors partially based on public input received at a well-advertised public meeting at the Maple Rapids Park pavilion held June 11, 2025.

Of the 240 households receiving the questionnaire, 39 responded for a 16.3% response rate. Comparison of the demographic characteristics of respondent households to 2000 Census data suggest that the respondents were representative of the population of Maple Rapids in demographic terms (e.g. household size, percentage of households with children, whether renter or owner, etc.). All responses and commentary are in ***bold italics.***

Goals and Objectives

Based on the needs assessment, the input from the public meeting, the recreation inventory of Maple Rapids and the surrounding Clinton County, the judgment of the authors and the input of the Maple Rapids Village Council, the following goals and objectives are proposed.

Goals

Over the next five years, the Village's primary objective is to enhance outdoor recreational opportunities within its existing parkland. This initiative will focus on expanding universally accessible recreation options, upgrading current park restroom facilities. These improvements will build upon the exceptional efforts of the Village and its dedicated volunteers in maintaining public park infrastructure, further ensuring that the parks remain welcoming, accessible, and enjoyable for all residents and visitors.

Objectives

1. Renovate the existing restroom facilities adjacent to the ball fields to be universally accessible.

2. Renovate the existing picnic pavilion adjacent to the Veteran's Memorial to be universally accessible.

3. Install new sidewalks to the current ballfield restroom and modify the restroom facility so that there are additional universally accessible restroom facilities near the Veteran's Memorial to serve the playground and picnic pavilion.

4. Develop a paved non-motorized transportation/trail system in the Village connecting village assets for walking, running, bicycling and in-line skating. This may use existing sidewalks and develop non-motorized lanes/corridors on existing streets, as well as benefit from new construction of dedicated non-

motorized trails. to encircle the village and around the ballpark.

5. Install a small play area near the Community Center to provide activities for young children while using the center.

6. Add benches and/or picnic tables to all parks for seating to provide rest opportunities for Village residents and visitors using the parks.

7. Provide opportunities for recreational activities that can be shared by all family members to help strengthen family ties and build community.

8. Incorporate security for the parks and facilities for the safety of the community.

Action Program

Objective	Action Steps	Outcome
1. Renovate ball field restrooms	Upgrade to ADA-compliant design — grab bars, wider stalls, accessible routes	Improved usability for visitors with disabilities
2. Upgrade picnic pavilion	Modify seating and pathways near Veteran's Memorial.	Inclusive programming and gatherings
3. Improve accessibility connectivity	Install sidewalk to ballfield restroom; add accessible restrooms near Veteran's Memorial for playground/pavilion	Safer, direct access to facilities
4. Non-motorized trail system	Develop paved paths linking parks, village assets; add dedicated lanes where needed; encircle village and ballpark	Multi-use trail for walking, biking, skating
5. Add play area at Community Center	Install age-appropriate, safe, accessible playground	Increase youth engagement and multi-generational use
6. Install seating in all parks	Add benches and picnic tables	Rest opportunities for all users
7. Promote family recreation	Organize events—family sports days, nature walks, community picnics, Spring Clean up days	Strengthened family and community bonds
8. Ensure Safety	Install Security systems throughout the parks	Increases awareness and protects investments put into the community.

Literature Cited

U.S. Bureau of the Census. (2020). Census 2020, Village of Maple Rapids, Michigan. Clinton County Park, Recreation and Green Space Plan 2025-202925

Upper Maple River WATERSHED MANAGEMENT PLAN

nomadseason - Monthly climate in Maple Rapids, Michigan, United States

mapcarta

APPENDIX A

Parks and Rec – PUBLIC MEETING
06/11/25 – 7:00PM
Maple Rapids Park Pavilion

Attendees: - Cheryl Sorah, Zack Manning, Heidi Holland, Tracey Coffin, Amanda VanEtten
6 members of the public also attended

Purpose of the meeting – To receive public input for the Parks and Rec survey that will be going out to the village residents in the July Newsletter. Discussed the purpose of having a parks and rec plan in place and having it submitted to the DNR for grant funding opportunities. Discussion of the timeline for the survey as well as the 5 year parks and rec plan submission. – The goal is to have the surveys go out with the water bills and newsletter in July. We will request that the surveys be returned by July 31st. The committee will collect and review the data received and work on finalizing the Parks and Rec plan and meet as a group on 8/12/25. By 9/15/25 we plan to post the 5 year parks and req plan for a 30 day review by the public. The committee will then take the plan to the board in October for review and approval. The goal is to submit the plan to the DNR prior to the Feb 2026 deadline.
The group reviewed multiple questions and narrowed down the questions to develop a 10 question survey. The plan is to have a paper copy, as well as an electronic option. Our goal is to provide a link as well as a QR code if possible.
Our public members indicated they would like to see the following upgrades to our current parks.

- Merry go round
- Steeper/larger slide
- Platform swing
- Jungle gym/monkey bars
- Tether ball
- See saw
- Rock climbing wall
- Bigger swings
- Splash pad
- B-Ball tournaments

Public Hearing Notice

ALMA PLANNING COMMISSION
ALMA, GRATIOT COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING
Date: February 2, 2026, Time:6:00 pm, Location: Alma City Hall, 525 E Superior Street, Alma, MI 48801

Please take notice that the Alma Planning Commission will hold a public hearing during a regular meeting of the Planning Commission to be held at the Alma City Hall, located at 525 E Superior Street on February 2, 2026, at 6:00 p.m., or as soon thereafter as the agenda allows, in accordance with Act 33 of 2008, MCL 125.3801 *et. seq.* The purpose of this public hearing is to provide an opportunity for residents and interested citizens to express their opinions, ask questions, and discuss all aspects of the proposed Gratiot Countywide Master Plan to be adopted as The City of Alma master plan. Written comments may be submitted on or before the date of the public hearing by directing any comments to Sara Anderson, City Clerk, 525 E Superior Street, Alma MI, 48801. You may also provide feedback by calling 989-463-8336.

You may review a copy of the proposed Gratiot Countywide Master Plan at The City of Alma, 525 E Superior Street, Alma MI 48801. You may also review and download a copy of the proposed Master Plan at: bit.ly/DraftGCMP25 . You may also obtain a copy of the proposed Master Plan by contacting City Clerk, Sara Anderson at 989-463-8336. Please do not hesitate to contact the phone number above or utilize the Michigan Relay Service at 7-1-1 (TDD) to request accommodations to attend the public hearing at least 72 hours prior to the public hearing.

Respectfully submitted,

Alma Planning Commission

Dated: January 5, 2025

Public Hearing Notice

ALMA PLANNING COMMISSION
ALMA, GRATIOT COUNTY, MICHIGAN

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Respectfully submitted,

Alma Planning Commission

Dated: January 5, 2025

Village of Maple Rapids
118 W Adelaide
PO Box 200
Maple Rapids, MI 48853
Ph: 989-682-9227 Fax: 989-682-4411

January 4, 2026

Clinton County Planning Commission
Clinton County Courthouse
100 E State Street
Board of County Commissioners' Chambers, 2nd Floor
St Johns, MI 48879

The Village of Maple Rapids has recently passed our 5-Year Park & Recreation Plan 2026-2031. We are in the process of submitting it to the State of Michigan DNR. As part the requirements they have asked that a copy be sent to the County Planning Agency. Thus, we are forwarding this to each of you on the Clinton County Planning Commission.

If you have any questions or need any additional information, please contact our contact for our Parks and Recreation Committee, Amanda VanEtten at amanda.vanetten15@gmail.com.

Thank you

Melinda Thomas

Melinda (Mindy) Thomas
Village Treasurer



Village of Maple Rapids

Clinton County, Michigan

5-Year Park & Recreation Plan 2026 – 2031

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Introduction and Benefits of Outdoor Recreation

Outdoor recreation is vital to both the quality of life and economic well-being of Maple Rapids. Our public parks serve as inclusive spaces where residents and visitors alike can connect with nature, family, and community. These areas offer valuable natural resources such as rivers, wetlands, and forests, as well as human-made amenities including sports fields, picnic areas, playgrounds and community areas.

Recreation is a voluntary pursuit, yet it plays a critical role in personal fulfillment, public health and community engagement. Accessible to individuals of all backgrounds, public recreation venues promote equity and social cohesion. They provide opportunities for healthy physical activity, emotional well-being, and environmental awareness.

Furthermore, the impact of outdoor recreation extends beyond individual participants. Local businesses benefit from increased foot traffic and demand for goods and services such as food, sporting equipment, and souvenirs. These activities help strengthen the town's economic base while reinforcing our shared responsibility to protect clean air, water, and natural habitats.

Investing in outdoor recreation infrastructure and programming is an investment in the health, unity, and sustainability of Maple Rapids.

Rationale for the Plan

The purpose of this plan is to guide the future development of parks, outdoor recreation areas, and open spaces within Maple Rapids, Clinton County, Michigan, for the years 2026 through 2031. The village of Maple Rapids previous plan expired in 2013. Since that time, Maple Rapids has been ineligible to receive state or federal grants to support outdoor recreation or the development of facilities, expansion and maintenance of current recreation points in the village. A critical component of this plan is to ensure eligibility for grants aimed at developing recreational facilities. Specifically, this plan will align with the requirements set by the Michigan Department of Natural Resources (DNR), which is necessary to access funding sources like the Michigan Natural Resources Trust Fund (MNRTF) and the federal Land and Water Conservation Fund (LWCF).

Importance of Grant Funding

The MNRTF, established by Michigan voters in 1984, and the LWCF, created in 1965, are vital sources of funding for land acquisition and the development of outdoor recreation facilities. These funds are substantial and represent a key opportunity for Maple Rapids to enhance its public recreational resources.

- **MNRTF Funding**: This fund is specifically designed to support the acquisition and development of public outdoor recreation areas. Its revenue is generated from royalties and lease payments on state-owned minerals, such as oil, natural gas, and hard rock minerals. The MNRTF represents a unique model of converting one-time financial gains from non-renewable resources into lasting public benefit. To date, Maple Rapids has not received any MNRTF grants, although the opportunity to apply remains available through this plan.
- **LWCF Funding**: The federal Land and Water Conservation Fund also provides grants for the development of outdoor recreational facilities. The program is designed to support improvements at the federal, state, and local government levels. The funds come from oil and gas lease royalties on federal lands. The LWCF program operates on a competitive annual basis, and having an approved 5-year outdoor recreation plan is a prerequisite for securing funding.

Public Involvement and Transparency

This plan emphasizes public participation throughout the development process. Engaging the citizens of Maple Rapids in decision-making ensures that the recreation plan aligns with community needs and desires. Public meetings, surveys, and input from the Parks and Recreation Committee will be used to gather feedback, identify priorities, and assess existing resources. The goal is to develop a plan that accurately reflects the desires of the community while making strategic improvements to the current outdoor recreation offerings.

Alignment with DNR Planning Process

To meet DNR standards, the planning process includes a comprehensive review of current resources, opportunities for growth, and the surrounding jurisdiction's recreational infrastructure. The process is intended to ensure that Maple Rapids can maintain and improve existing resources, while also planning for new opportunities that align with both community input and broader regional needs. By following the DNR's prescribed process, Maple Rapids will also demonstrate its commitment to long-term stewardship of public spaces.

Enhancing Accessibility and Non-Motorized Recreation

An important aspect of this plan is aligning with broader state initiatives, such as Michigan Public Act 51 of 1951 (Transportation Fund Act), which mandates that a portion of transportation funds be dedicated to non-motorized transportation facilities. This includes the development of bike paths, pedestrian routes, and other infrastructure that enhances accessibility and outdoor recreational options. Maple Rapids will seek to integrate such facilities where possible, benefiting not only local residents but also visitors to the community.

Final Thoughts

Without an updated and approved outdoor recreation plan, Maple Rapids would remain ineligible for crucial funding that could enhance public outdoor spaces and support the well-being of its residents. By creating a robust, community-driven plan, the village can open the door to substantial financial resources from the MNRTF, LWCF, and other sources, while fostering a future of accessible, sustainable outdoor recreation opportunities. This plan sets the stage for Maple Rapids to enhance its parks and recreation infrastructure, contribute to the vitality of the community, and provide lasting benefits to current and future generations.

Required Plan Content

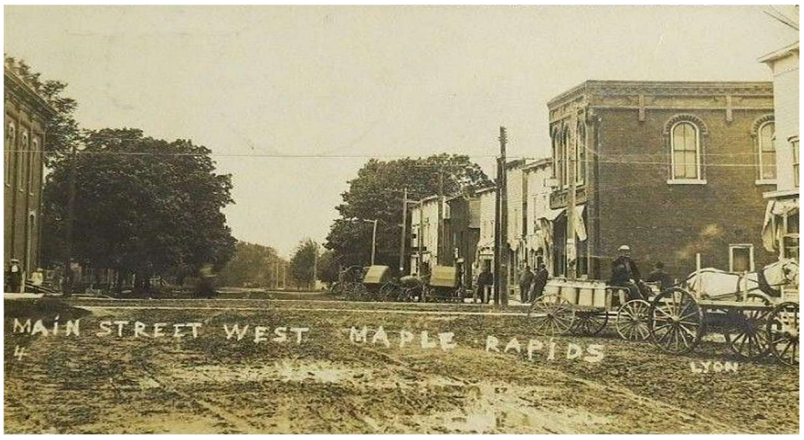
The DNR requires the following for an approved plan:

- Community Description
- Administrative Structure
- Recreation Inventory
- Resource Inventory
- Description of the Planning Process
- Description of the Public Input Process
- Goals and Objectives
- Action Program

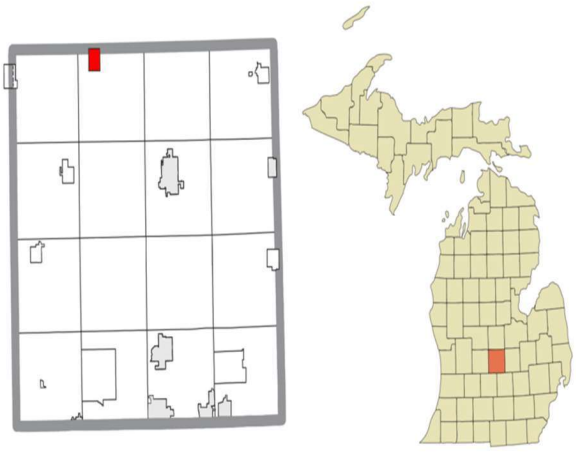
The Village of Maple Rapids Plan fully meets these requirements.

Community Description

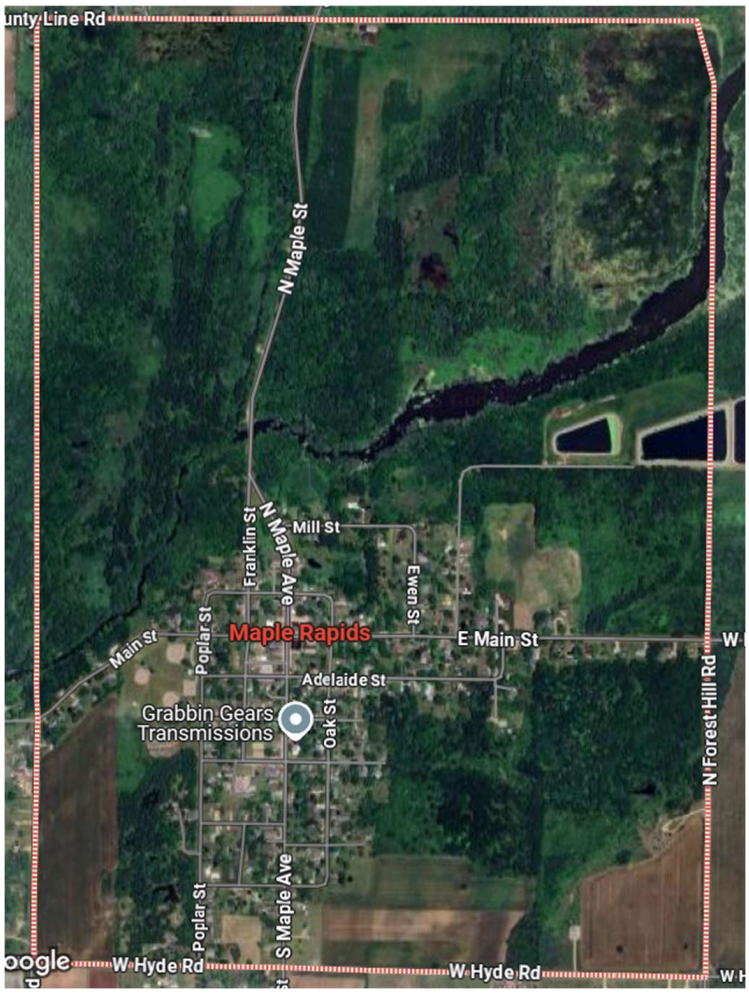
The Village of Maple Rapids is in Essex Township in northwestern Clinton County. It is named after rapids on the Maple River in 1826 by trader George Campau. Native Americans had used the site to fish, grow crops and live prior to and during the early development of Maple Rapids during Michigan settlement. They are honored by a monument adjacent to the picnic shelter in the Village Park today. The Village was platted in 1852 and incorporated as a general law village in 1881. Then, as now, the Maple River is the key natural feature of the area.



Main Street 1912



Location Map



Map of the village

Social Characteristics

Population

From the 2010 to 2020 census, the Village saw a decrease in population, from 643 in 2010 to 573 in 2020. Since then, the US Bureau of the Census estimates that the population has increased to 584 as of 2024.

Based on the 2020 Census, there were 296 households of which 31.7% had children under the age of 18 living with them, 42.6% were married couples living together without kids. 26.9% were married couples living together with kids, for a total 69.5% of households with a married couple living together. 15.8% had a female householder with no husband present, 4.8% had a male householder with no wife present, and 25.9% were non-families. 20.3% of all households were made up of individuals of which 9.6% had someone living alone who was 65 years of age or older. The average household size was 2.5 and the average family size was 3.06.

Source: U.S. Census Bureau, Census 2020.

Median Age

The median age in the village was 36.5 years. 20.6% of residents were under the age of 18; 13.1% were between the ages of 18 and 24; 25.6% were from 25 to 44; 15.1% were from 45 to 64; and 15.3% were 65 years of age or older. Gender makeup was 50.2% male and 49.2% female.

Source: U.S. Census Bureau, Census 2020.

Income, Poverty and Employment

Year-round Maple Rapids households had a median income of approximately $50,357 in 2023, which is about two-thirds of the amount in the Lansing-East Lansing, Mi Metro area. Per capita income in 2023 was around $25,019, which is about two-thirds of the median in the Lansing-East Lansing metro area and Michigan as a whole. The Overall Poverty Rate in 2023 was approximately 39%, more than double the rate in the Lansing-East Lansing metro area and Michigan. Child Poverty Rate was approximately 73% Around 60.3% of residents aged 16 and older were in the labor force. Approximately 3.0% among those aged 25 and over were unemployed.

These figures indicate that Maple Rapids faced economic challenges in 2023, with a significant portion of the population living below the poverty line and a lower median household income compared to state and regional averages.

Source: Censusreporter.org 2025

Physical Characteristics

Location & Transportation Network

Maple Rapids is a small village located in Essex Township, Clinton County, Michigan. Situated approximately 10 miles northwest of St. Johns, it encompasses an area of 1.42 square miles, with 1.36 square miles of land and 0.06 square miles of water. The village is positioned within the Maple River State Game Area, offering a blend of rural charm and natural beauty.

Due to its rural setting, Maple Rapids lacks a comprehensive public transit system. However, residents and visitors have access to several transportation options:

Personal Vehicles - The most common mode of transportation in Maple Rapids is personal vehicles. The village is accessible via local roads connecting to nearby towns and cities.

Rideshare Services - Rideshare services like Uber and Lyft are available in Maple Rapids. These platforms offer various ride options, including standard and XL services, providing flexibility for local travel.

Clinton County Transit (CCT) - Clinton County Transit offers public transportation services in the region. While specific routes and schedules may vary, CCT provides an essential link for residents needing access to broader areas within the county.

Maple Rapids also has nearby highways, and access points such as M-21: A major east-west route connecting to nearby towns and cities, M-57: Another significant highway providing access to the region and US-127: A major North-South route connecting to nearby towns and cities.

These highways facilitate travel to and from Maple Rapids, connecting it to the broader transportation network of Michigan.

Climate

Maple Rapids weather, like all of Michigan's, influences the recreational opportunities available throughout the year. The area can support a variety of activities throughout the year from swimming to skiing.

Temperature Overview

- Summer: July is the warmest month, with average highs around 82°F (28°C) and lows near 60°F (16°C).
- Winter: January is the coldest month, with average highs around 29°F (-2°C) and lows near 15°F

(-9°C).
- Annual Range: Temperatures typically range between 25°F (-4°C) and 75°F (24°C) throughout the year, though extremes can reach as low as -17°F (-27°C) and as high as 96°F (36°C).

Precipitation & Snowfall

- Annual Precipitation: Approximately 39.8 inches (1011 mm) of rain annually, with 131 rainy days
- Monthly Variation: May, June, and October are the wettest months, averaging 4.8 inches (122 mm) of rain per month.
- Snowfall: Receives about 44 inches (112 cm) of snow per year, with January being the snowiest month at 13.4 inches (34 cm).

Sunshine & Daylight

- Annual Sunshine: Approximately 2,770 hours of sunshine per year.
- Sunniest Months: June, July, and August average 11 hours of sunshine per day.
- Daylight Hours: Daylight varies from 9 hours 3 minutes in December to 15 hours 16 minutes in June.

Climate Comfort

Maple Rapids boasts a high comfort index of 9.3 out of 10, indicating a more comfortable year-round climate compared to many other places in Michigan.

Source: nomadseason - Monthly climate in Maple Rapids, Michigan, United States

Topography & Landforms

The village is positioned along the Maple River, a 74.1-mile tributary of the Grand River, which meanders through Clinton, Gratiot, and Ionia counties before converging with the Grand River at Muir

The village's elevation ranges from approximately 652 feet to 688 feet above sea level, indicating a relatively flat landscape with slight undulations.

The village is next to the Maple River State Game Area which is an expansive 9,252-acre conservation area that stretches along the Maple River and includes marshlands, wetlands, and forested regions. The area provides diverse habitats for wildlife and is a significant feature of the local landscape.

The vicinity of Maple Rapids is predominantly agricultural, with expansive fields of corn, soybeans, wheat, and hay. These flat and fertile lands are integral to the region's economy and contribute to its rural character.

Source: mapcarta

Water Resources & Drainage

Maple Rapids, Michigan, is situated within the Maple River watershed which is a significant tributary of the Grand River. This watershed spans approximately 944 square miles across Clinton, Gratiot, Ionia, and Shiawassee counties, encompassing the Upper Maple River Watershed. The Maple River originates in Shiawassee County and flows westward through Clinton, Gratiot, and Ionia counties before joining the Grand River at Muir. The river is impounded by five major dams: Lake Victoria, Lake Ovid, Elsie, Rainbow, and Hubbardston. These dams have historically altered the river's flow and ecology. The Maple River State Game Area, encompassing portions of Clinton, Gratiot, and Ionia counties, is a notable feature within the watershed. This area includes wetlands and floodplain forests that provide critical habitat for wildlife and help in flood water retention.

The Maple River watershed faces challenges related to non-point source pollution, which occurs when pollutants are carried into water bodies by runoff from rainfall or snowmelt. Efforts have been made to address these issues through watershed management planning, focusing on reducing sediment and nutrient runoff into the river.

Additionally, the U.S. Fish and Wildlife Service has been involved in projects to restore natural hydrological connections within the watershed. For instance, the Landscape-scale Maple River Reconnection Project aims to replace culverts and restore stream channels that have been disconnected since the 1800s. This restoration is expected to reduce flooding, enhance fish habitat, and improve water quality.

Source: Upper Maple River WATERSHED MANAGEMENT PLAN

Fish and Wildlife

Maple Rapids is located next to the Maple River and its surrounding wetlands support a diverse range of fish species, including:

- Northern Pike
- Largemouth and Smallmouth Bass
- Northern and Black Crappie
- Bluegill and Pumpkinseed Sunfish
- Yellow Perch
- Channel Catfish and Bullhead Catfish
- Bowfin
- Rock Bass

These species thrive in the river's varied habitats, from marshes to open water areas.

The area is also a prime destination for birdwatching, especially during migration seasons. Notable bird

species include:

- Tundra Swans: Often observed in early spring.
- Bald Eagles: Commonly sighted year-round.
- Prothonotary Warblers: Nest in wooded swamps.
- Wood Ducks: Nesting boxes have been installed to support their populations.
- Various Ducks: Including Northern Shovelers, Pintails, Ring-necked Ducks, Redheads, and Ruddy Ducks.
- Wading Birds: Such as Great Blue Herons and Great Egrets.
- Shorebirds: Including Hudsonian Godwits and Least Sandpipers.
- Raptors: Like Ospreys and Rough-legged Hawks.
- Other Species: Including Sandhill Cranes, Snowy Egrets, and King Rails.

The area is also home to various mammals, including:

- White-tailed Deer
- Coyotes
- Beavers
- Muskrats
- Foxes
- Raccoons
- Mink
- Porcupines
- Chipmunks
- Squirrels
- Bats
- Rabbits

Utilities & Community Services

Although the Village is a small community, it offers an array of full services. Water is supplied via a well system and sewer needs are met by a lagoon system.

The Village of Maple Rapids has partnered with the Elsie Police Department for contractual hours of dedicated police coverage per week. When the Elsie Officer is not on duty, Maple Rapids is covered by the Clinton County Sheriff's Office and Michigan State Police.

Fire protection is provided by the Maple Rapids Department located in Maple Rapids. The department also serves the Townships of Essex, Fulton, Lebanon, and North Shade.

Administrative Structure

Roles of Commissions/Advisory Boards

The Village of Maple Rapids is governed as a general law village. It is governed by a Village council of 7 members. The Village Council meets the 1st Wednesday of every month at 7:30 p.m. at the Community Center, 209 W. Union Street, Maple Rapids.

Department, Authority, Staff Description and Organization Chart

Membership of the Village Council is:

- William Schmidt – President
- Paul Sorah – President Pro Tempore
- Mitch Leiby – Trustee
- Zackery Manning - Trustee
- Heidi S Holland - Trustee
- Amanda VanEtten - Trustee
- Sharon Fitzpatrick – Clerk
- Melinda Thomas – Treasurer

The Park and Recreation Committee of the Village Council is:

- Zackery Manning
- Heidi S Holland
- Amanda VanEtten
- Cheryl Sorah - Village Resident committee member
- Tracey Coffin - Village Resident committee member

The Village Council approves the Village budget and any expenditures to improve, repair and operate the parks and recreation program within the Village. Work is carried out by two Village employees, DPW Supervisor and full-time employee Mike Townsend and DPW full-time employee Tate Bennett. Park maintenance is one of many duties of the two DPW employees. Those park maintenance activities include but are not limited to:

- Mow all lawns
- Empty Trash Containers – pickup any trash on ground
- Install seasonal park equipment in spring and uninstall and store away in winter
- Maintain all equipment in good repair.
- Maintain the ball fields

- Supervise all capital improvements/renovations that involve volunteers
- Maintain Veterans Memorial Monument in the park
- Set up and take down for special events
- Maintaining public restroom facilities

Park and Recreation Programming/Programs/Volunteers

Park and recreation programming are provided by citizen volunteers and non-profit organizations to which many residents belong. One key set of activities are community baseball, softball and t-ball leagues on the three ball diamonds. The Maple Rapids Ball Boosters are critical to this effort. Other important Village recreation programs include:

- Annual Rabbit Hunt which promotes adult and youth hunting with an emphasis on safety and enjoyment
- Village parks are used throughout the year for various family reunions, birthdays, open houses and various other events

Key volunteer contributions include:

- Maple Rapids Ball Boosters - Operate Village baseball, softball and t-ball leagues.
- Maple Rapids Business Association
- Community Volunteers with the Village Festival committee for community clean-up days

In addition to the above-mentioned efforts, the Village has also worked with the Fulton School District. The district has used the Village ball fields for tournaments and have shared equipment between the Village and the school district on occasion. Other contributions and cooperation include various church donations for new and updated recreational equipment. Scouts and Scouting leadership have been especially helpful to the parks. For example, in 2009 an Eagle Scout added 6 park benches to our ball fields, constructing two handicap accessible benches at each field, providing access and comfort, especially to disabled visitors such as grandparents as they enjoy seeing their grandchildren involved in recreation. In 2020, an Eagle Scout installed 2 horseshoe pits and a musical play area to Veterans Memorial Park. The Village has also worked with Habitat for Humanity in the past taking part in their “Rock the Block” program which assisted selected village residents spruce up their homes or structures.

Current Funding Sources and Park and Recreation Budget

The Park and Recreation budget comes from limited General Fund dollars annually appropriated for parks & recreation. In 2023 $8,000 was budgeted for expenses and $898.91 was expensed. The budget for 2024 was again $8,000 and $7,134.14 was expensed. These expenses include bark, sand, wood chips, diamond dust for the ball fields, any equipment that needs replacing or is added and all supplies. In addition, the Village expended labor and equipment costs to maintain the parks of $15,000 in 2024. This is about the same amount that is spent each year for maintenance and will continue in the future. For baseball, softball and t-ball, the Maple Rapids Ball Boosters are the key funding source, using funds raised

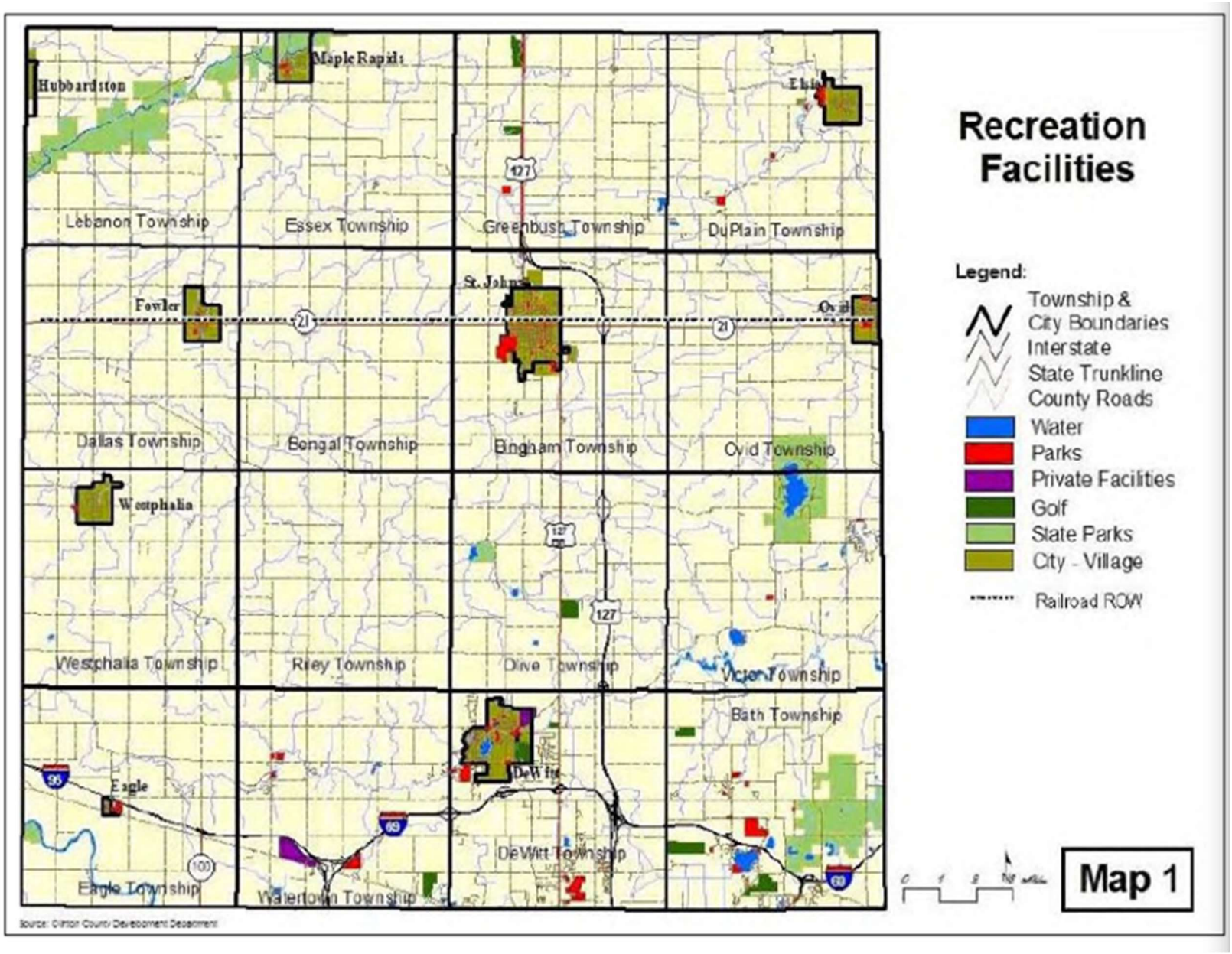
throughout the year and volunteer labor to provide this popular program with some assistance from the Village. The restroom facilities at the ball fields are also used during many other community events besides ball games as they adjoin much of the other parkland in the Village and are very close to downtown.

Relationship with Schools, Other Public Agencies and Private Organizations

The Village of Maple Rapids is within the Fulton School District. The key public agency partner to the Village in terms of outdoor recreation opportunity is the Michigan Department of Natural Resources and Environment Wildlife and Recreation Divisions. The Wildlife Division manages the 11-thousand-acre Maple River State Game Area, a set of parcels with many in-holdings that provide outstanding public hunting and wildlife viewing opportunities. This land has little development, with county roads, some DNR minimum maintenance roads and parking areas comprising most of the development. The area does not have outdoor recreation facilities such as picnic areas and a designated non-motorized trail system, as the focus is to provide optimal wildlife habitat and to focus on fish and wildlife-oriented recreation such as hunting, fishing and wildlife viewing. The most significant development is related to former diked agricultural areas that have been purchased by the DNR and restored as highly productive emergent
wetlands. These are located upstream (east northeast) from Maple Rapids on both sides of US-127 in a series of wetland units A-E and additional satellite units. The Recreation Division manages a number of boating access sites on the Maple River. However, none are in the Village and boating access in the Village is not available for trailered boats and difficult for carry-in craft on DNR State Game Area lands on the north side of the river (just north of the Village). The parking is limited, the road is primitive and there is no clearly defined launch site for any type of watercraft, even a canoe or kayak.

Recreation and Resource Inventory

Using the inventory for the 2025-2029 Clinton County Park, Recreation and Open Space Plan and Maple Rapids Parks and Recreation Committee, the following recreation resources are available in Clinton County townships of Essex, Lebanon, Greenbush, Dallas, and Bengal, which encompasses the Village of Maple Rapids.


Recreation Facilities
Legend:
Township & City Boundaries
Interstate
State Trunkline
County Roads
Water
Parks
Private Facilities
Golf
State Parks
City - Village
Railroad ROW
Hubbardston
Maple Rapids
Lebanon Township
Essex Township
Greenbush Township
DuPlain Township
Fowler
St. Johns
Ovid
Dallas Township
Bengal Township
Bingham Township
Ovid Township
Westphalia
Westphalia Township
Riley Township
Dallas Township
Victor Township
Eagle
Eagle Township
Watertown Township
DeWitt
DeWitt Township
Bath Township
Map 1
Source: Clinton County Development Department

State Owned Recreation

The State of Michigan has key facilities and lands that help meet outdoor recreational needs. One of these areas is in northern Clinton County.

- Maple River State Game Area is located in Lebanon and Essex Townships in Clinton County with additional acreage in Gratiot and Ionia County, this area has an extensive system of forests, wetlands and some widely spaced, generally primitive river access sites. The 11,000-acre area is managed for wildlife habitat, which in turn provides opportunities for hunting, fishing, wildlife viewing, boating and walking/hiking. Non-motorized trails are generally unimproved and provided to facilitate hunter access. The Maple River traverses the area and provides boating opportunities for canoes and other small boats as well as fishing. The river has a significant floodplain and navigation for powered watercraft is often challenging due to log jams, shallow water, etc.

Clinton County Facilities

Northeast Clinton County now owns two park areas. These include Clinton Lakes and Motz County Park in Greenbush Township.

- Frances Motz County Park is a 42-acre site which features a 15-acre lake. This park provides a swimming beach, bath house and fishing platforms. All the facilities are universally accessible.
- Clinton Lakes County Park is a 272-acre site which features two separate lakes, one of 90 acres and a second of 12 acres. This park provides a non-motorized accessible trail system, accessible carry-in boat launch, fishing, picnic tables, and swimming.

Township Facilities

The four townships in the NW corner of Clinton County offer a limited range of developed recreational opportunities. Several townships offer nothing more than a small playground area adjacent to their township hall or no facilities at all.

Dallas Township

- Fowler Conservation Club is a private 10-acre site with woods and river access. It also has an outdoor pavilion and a building that can be rented for various activities.

City and Village Recreation

The cities and villages within Clinton County offer diverse recreational opportunities just like the townships. Some have small community parks while others have larger parks and activity

programs. Those cities and villages without established facilities are not listed.

Village of Fowler

- Fink Park contains softball/baseball diamonds, playground, and a pavilion and restrooms.
- Victor Street Park contains an ice rink and playground.
- Field of Dreams includes a playground and play equipment; picnic area and pavilion.
- Trailhead to the state-owned Fred Meijer CIS Trail that was constructed in 2014.

Village of Maple Rapids

- Maple Rapids Memorial Ball Fields
- Maple Rapids Village Park
- Maple Rapids Community Center

Source: Clinton County Park, Recreation and Green Space Plan 2025-2029

School Facilities

The two public school districts and various private schools that serve the Northwest corner of Clinton County residents offer various recreational opportunities. Playgrounds and sports fields including baseball, football, soccer and running tracks are available at most, if not all these schools. Although their size and style vary, the primary focus is that they offer recreational activities. The following lists the two public school districts; however, no attempt has been made to inventory each school district's facilities at this time.

- Fowler
- Fulton

School facilities play a minor role in the provision of recreational opportunities within the County. They meet the local recreational needs and provide the majority of the local indoor recreational experiences. The availability of school recreational facilities to the general public varies by school district.

Private Facilities

There are also numerous private facilities that have not been inventoried in detail since they predominantly offer specific recreational opportunities that may not appeal to a broad enough cross section of the county population. They include golf courses, shooting and archery clubs.

Detailed Inventory of Community Owned Parks and Recreation Facilities in Village of Maple Rapids

The Village of Maple Rapids Parks and Recreation Committee evaluated the park and recreation facilities in the Village of Maple Rapids through an on-site inspection of all facilities on June 24, 2025,

and through records and information provided by the Village of Maple Rapids. All Village Park facilities are designed to serve the entire Village population and also serve those in the surrounding township (Lebanon) which has no township facilities. The park type for all is local. The detailed inventory of the Village park and recreation facilities uses the DNR's rating scale of accessibility found on page 7 in the Guidelines for Development of Community Park, Recreation, Open Space and Green Space Plans:

1=none of the facilities/park areas meet accessibility guidelines
2=some of the facilities/park areas meet accessibility guidelines
3=most of the facilities/park areas meet accessibility guidelines
4=entire park meets accessibility guidelines
5=entire park developed/renovated using principles of universal design

- Maple Rapids has the Memorial Ball Fields. This 3-field, 15-acre complex serves all ages of ball players from T-ball to adult leagues. Rest room facilities are both porta johns (that are accessible) and a cinder block building with toilets, wash basins and hand towel dispensers. They are not considered fully accessible and need to be upgraded as a drain in front of the doorways has a grate that runs the same way as wheelchair traffic would and the grates are an inch wide, creating a hazard for those in a wheelchair with narrow tires or a person with a cane. However, the grounds of the ball fields are firm with minimal slope of less than 4%, providing access across the fields and in the large, well-maintained area for spectators. While the bleachers are not accessible, there is considerable room to sit with a wheelchair or other portable chair on firm ground and in the shade of trees directly adjacent to parking. There is no lip from the roadway, the grassy parking areas to spectator areas or onto the field, allowing mobility impaired individuals to use the full area. Trash receptacles are 36" in height and require less than 5 pounds of pressure to open (swinging cover on a hinge), thus are accessible. Hence, there are no inherent characteristics of the site that would preclude universal accessibility and renovation of the permanent restrooms is the only change required to provide universal access.

- The two tennis courts are level with the surrounding landscape and are accessible. This area would be rated a 3 with the clear potential to be readily upgraded to a 5.

- Maple Rapids Veterans Memorial Park provides a picnic pavilion, playground and veteran's memorial on approximately 1.5 acres. The site, while bounded by streets with low-speed limits (25mph) and some sidewalks, does not have a designated non-motorized trail. Rest room facilities are located across the street and shared with the baseball fields and have already been described. The grounds of the park areas are of minimal slope with firm soils. Parking is on the adjacent streets. Many access the park on foot or by bicycle.

    - The picnic shelter has approximately 1,000 square feet of concrete floor space and is accessible except for a lip as the concrete and left-over form boards from pouring the concrete create a lip of greater than an inch. This could be easily remedied by creating a couple of cutouts to accommodate mobility impaired patrons. There are 15 tables in the shelter, none of which are accessible. Access could be created by modifying existing tables by extending top boards or removing a seat on one side.

    - The playground area is approximately 17,000 square feet and contains two playground slide/platform structures made of plastic that are “modern”. In addition, there are multiple swing sets that have a variety of swings. The area surrounding the playground equipment is covered in wood mulch and there are no visible concrete abutments sticking up to endanger children.
    - 2 regulation size horseshoe pits are on the Northwest corner.
    - The drinking fountain is 34” above a sidewalk and has no lip to deter access. It has a push button mechanism to activate it and this can be accomplished with less than 5 pounds of pressure.
    - The Veterans Memorial Park is semi-accessible with a sidewalk with no lip for access and no measurable slope.
    - In summary, the park is rated as a 3 with only minor improvements needed to every facility except the playground, which would create considerable expense with rubber matting needed to raise it to the universally accessible level. If the playground is excluded from this assessment, the rest of the park could very easily be upgraded to a 5.
- Approximately ¼ acer of park land Northeast corner of Franklin and Union Streets. Includes a basketball court and volleyball court. This site is currently unnamed. It is rated as a 3.
    - The basketball court is concrete with no lip to preclude access by a mobility impaired individual.
    - A sand volleyball court has no lip to preclude access by a mobility impaired individual. The area has bleachers to accommodate spectators. They are not accessible.
- North Point Park is approximately 1 acre of parkland in the triangle between Maple and Franklin is level, firm and well mowed grass. It does not contain any recreational facilities and appears to be occasionally inundated during high water in the Maple River floodplain. It is rated as a 1.
- Lamplighter Park is approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Main St. and Maple Ave. It contains four picnic tables and four benches for seating. It does not contain any recreational facilities and is used primarily during the two days of the DALMAC bike tour. It is rated as a 3.
- Approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Maple Ave and Adelaide St. This site is named the Steigerwald Memorial Park. It does not contain any recreation facilities. It is rated a 3.
- Maple Rapids Community Center provides a meeting place for a wide variety of community events and can also be reserved for family related events (e.g. reunion, wedding reception, etc.). The community center is on grade with no steps up or down and a door jamb that does not preclude access by a mobility impaired individual. Doors are 36” to accommodate a person in a wheelchair. The restrooms at the community center are accessible, but the building is locked unless opened for a specific event. Hence, the rest rooms are not available at all the hours the

adjacent parkland is in use. Parking is available for more than 50 cars in a paved lot adjacent to the building with no curb or significant variation in grade. On-street paved parking is also available. Requisite handicapper parking sites are marked and provide the closest and most direct access to the building. The center is rated as a 5.

One final observation is that the Village takes great pride in excellent maintenance of all park and recreation facilities. The grass is mowed frequently throughout the summer, the ball fields in fields are maintained in excellent condition, signage was accurate, all structures were properly painted, sidewalks were level and in good repair, trees (both established and recently planted) were flourishing, monuments commemorating Native Americans, a founder of the baseball fields, donation of land by another resident and the Veteran's Memorial is in good condition. Plans are being made to upgrade the Veterans plaques to recognize all wars and upgrade playground equipment. All playground equipment was serviceable, with no visible rust, flaking paint or concrete abutments. This maintenance involves both Village employees and many volunteers from the community.

DNR Recreation Grant Inventory

The Village of Maple Rapids has not received any grants from the Land and Water Conservation Fund, Michigan Natural Resources Trust Fund, Clean Michigan Initiative or the 1988 Recreation Bond Fund. Hence, the village is eligible for an additional 20 points under the current MNRTF scoring system as having never received such funding.

Summary

As the inventory and community description illustrate, while Maple Rapids has a few other public and private recreation facilities nearby, the village is somewhat isolated and is very oriented to the Maple River and surrounding environs. It has done an excellent job with its existing parkland which is focused on providing active (baseball, softball, basketball, tennis, etc.) and passive (picnic, playground, quiet and shaded public space) recreation for community residents and visitors and on commemorating original inhabitants of the area, veterans and civic minded persons who were champions for local recreation initiatives. However, the connection to local natural resource-based recreation is minimal. The Maple River State Game Area, due to its undeveloped nature and focus on wildlife habitat does not fully meet the needs of Village residents to effectively access and enjoy the river in the Village. Nor does it provide access for even the able-bodied, let alone the disabled to participate in outdoor recreation activities such as fishing, launching a watercraft or other resource-based activities. Access sites provided by the DNR are outside the Village, often flooded during high water periods and have a reputation as sites receiving relatively little management and security attention, resulting in access challenges, litter and a sense of insecurity. This is not conducive to meeting the outdoor recreational needs of Village residents as the following Recreation Needs Assessment will further illuminate.

Planning and Public Input Process

The planning process used is what the DNR, in the Guidelines for the Development of Community Park and Recreation, Open Space and Greenway Plans, characterizes as the "systems approach to planning". The needs of the community are assessed by multiple levels of public input and translated into a framework for meeting the physical, spatial and facility requirements to satisfy those needs.

Maple Rapids Recreation Needs Assessment

The needs assessment is presented using the questionnaire that was distributed to all Village households in summer 2025. Frequencies in the form of percentages are placed directly on the questionnaire, making it easy for the reader to follow the flow of the questionnaire and the information. The questionnaire was developed by the authors partially based on public input received at a well-advertised public meeting at the Maple Rapids Park pavilion held June 11, 2025.

Of the 240 households receiving the questionnaire, 39 responded for a 16.3% response rate. Comparison of the demographic characteristics of respondent households to 2000 Census data suggest that the respondents were representative of the population of Maple Rapids in demographic terms (e.g. household size, percentage of households with children, whether renter or owner, etc.). All responses and commentary are in ***bold italics.***

Goals and Objectives

Based on the needs assessment, the input from the public meeting, the recreation inventory of Maple Rapids and the surrounding Clinton County, the judgment of the authors and the input of the Maple Rapids Village Council, the following goals and objectives are proposed.

Goals

Over the next five years, the Village's primary objective is to enhance outdoor recreational opportunities within its existing parkland. This initiative will focus on expanding universally accessible recreation options, upgrading current park restroom facilities. These improvements will build upon the exceptional efforts of the Village and its dedicated volunteers in maintaining public park infrastructure, further ensuring that the parks remain welcoming, accessible, and enjoyable for all residents and visitors.

Objectives

1. Renovate the existing restroom facilities adjacent to the ball fields to be universally accessible.

2. Renovate the existing picnic pavilion adjacent to the Veteran's Memorial to be universally accessible.

3. Install new sidewalks to the current ballfield restroom and modify the restroom facility so that there are additional universally accessible restroom facilities near the Veteran's Memorial to serve the playground and picnic pavilion.

4. Develop a paved non-motorized transportation/trail system in the Village connecting village assets for walking, running, bicycling and in-line skating. This may use existing sidewalks and develop non-motorized lanes/corridors on existing streets, as well as benefit from new construction of dedicated non-

motorized trails. to encircle the village and around the ballpark.

5. Install a small play area near the Community Center to provide activities for young children while using the center.

6. Add benches and/or picnic tables to all parks for seating to provide rest opportunities for Village residents and visitors using the parks.

7. Provide opportunities for recreational activities that can be shared by all family members to help strengthen family ties and build community.

8. Incorporate security for the parks and facilities for the safety of the community.

Action Program

Objective	Action Steps	Outcome
1. Renovate ball field restrooms	Upgrade to ADA-compliant design — grab bars, wider stalls, accessible routes	Improved usability for visitors with disabilities
2. Upgrade picnic pavilion	Modify seating and pathways near Veteran's Memorial.	Inclusive programming and gatherings
3. Improve accessibility connectivity	Install sidewalk to ballfield restroom; add accessible restrooms near Veteran's Memorial for playground/pavilion	Safer, direct access to facilities
4. Non-motorized trail system	Develop paved paths linking parks, village assets; add dedicated lanes where needed; encircle village and ballpark	Multi-use trail for walking, biking, skating
5. Add play area at Community Center	Install age-appropriate, safe, accessible playground	Increase youth engagement and multi-generational use
6. Install seating in all parks	Add benches and picnic tables	Rest opportunities for all users
7. Promote family recreation	Organize events—family sports days, nature walks, community picnics, Spring Clean up days	Strengthened family and community bonds
8. Ensure Safety	Install Security systems throughout the parks	Increases awareness and protects investments put into the community.

Literature Cited

U.S. Bureau of the Census. (2020). Census 2020, Village of Maple Rapids, Michigan. Clinton County Park, Recreation and Green Space Plan 2025-202925

Upper Maple River WATERSHED MANAGEMENT PLAN

nomadseason - Monthly climate in Maple Rapids, Michigan, United States

mapcarta

APPENDIX A

Parks and Rec – PUBLIC MEETING
06/11/25 – 7:00PM
Maple Rapids Park Pavilion

Attendees: - Cheryl Sorah, Zack Manning, Heidi Holland, Tracey Coffin, Amanda VanEtten
6 members of the public also attended

Purpose of the meeting – To receive public input for the Parks and Rec survey that will be going out to the village residents in the July Newsletter. Discussed the purpose of having a parks and rec plan in place and having it submitted to the DNR for grant funding opportunities. Discussion of the timeline for the survey as well as the 5 year parks and rec plan submission. – The goal is to have the surveys go out with the water bills and newsletter in July. We will request that the surveys be returned by July 31st. The committee will collect and review the data received and work on finalizing the Parks and Rec plan and meet as a group on 8/12/25. By 9/15/25 we plan to post the 5 year parks and req plan for a 30 day review by the public. The committee will then take the plan to the board in October for review and approval. The goal is to submit the plan to the DNR prior to the Feb 2026 deadline.
The group reviewed multiple questions and narrowed down the questions to develop a 10 question survey. The plan is to have a paper copy, as well as an electronic option. Our goal is to provide a link as well as a QR code if possible.
Our public members indicated they would like to see the following upgrades to our current parks.

- Merry go round
- Steeper/larger slide
- Platform swing
- Jungle gym/monkey bars
- Tether ball
- See saw
- Rock climbing wall
- Bigger swings
- Splash pad
- B-Ball tournaments

Public Hearing Notice

ALMA PLANNING COMMISSION
ALMA, GRATIOT COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING
Date: February 2, 2026, Time:6:00 pm, Location: Alma City Hall, 525 E Superior Street, Alma, MI 48801

Please take notice that the Alma Planning Commission will hold a public hearing during a regular meeting of the Planning Commission to be held at the Alma City Hall, located at 525 E Superior Street on February 2, 2026, at 6:00 p.m., or as soon thereafter as the agenda allows, in accordance with Act 33 of 2008, MCL 125.3801 *et. seq.* The purpose of this public hearing is to provide an opportunity for residents and interested citizens to express their opinions, ask questions, and discuss all aspects of the proposed Gratiot Countywide Master Plan to be adopted as The City of Alma master plan. Written comments may be submitted on or before the date of the public hearing by directing any comments to Sara Anderson, City Clerk, 525 E Superior Street, Alma MI, 48801. You may also provide feedback by calling 989-463-8336.

You may review a copy of the proposed Gratiot Countywide Master Plan at The City of Alma, 525 E Superior Street, Alma MI 48801. You may also review and download a copy of the proposed Master Plan at: bit.ly/DraftGCMP25 . You may also obtain a copy of the proposed Master Plan by contacting City Clerk, Sara Anderson at 989-463-8336. Please do not hesitate to contact the phone number above or utilize the Michigan Relay Service at 7-1-1 (TDD) to request accommodations to attend the public hearing at least 72 hours prior to the public hearing.

Respectfully submitted,

Alma Planning Commission

Dated: January 5, 2025

Village of Maple Rapids
118 W Adelaide
PO Box 200
Maple Rapids, MI 48853
Ph: 989-682-9227 Fax: 989-682-4411

January 4, 2026

Clinton County Planning Commission
Clinton County Courthouse
100 E State Street
Board of County Commissioners' Chambers, 2nd Floor
St Johns, MI 48879

The Village of Maple Rapids has recently passed our 5-Year Park & Recreation Plan 2026-2031. We are in the process of submitting it to the State of Michigan DNR. As part the requirements they have asked that a copy be sent to the County Planning Agency. Thus, we are forwarding this to each of you on the Clinton County Planning Commission.

If you have any questions or need any additional information, please contact our contact for our Parks and Recreation Committee, Amanda VanEtten at amanda.vanetten15@gmail.com.

Thank you

Melinda Thomas

Melinda (Mindy) Thomas
Village Treasurer

Village of Maple Rapids
118 W Adelaide
PO Box 200
Maple Rapids, MI 48853
Ph: 989-682-9227 Fax: 989-682-4411

January 4, 2026

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Thank you

Melinda Thomas

Melinda (Mindy) Thomas
Village Treasurer



Village of Maple Rapids

Clinton County, Michigan

5-Year Park & Recreation Plan 2026 – 2031

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Introduction and Benefits of Outdoor Recreation

Outdoor recreation is vital to both the quality of life and economic well-being of Maple Rapids. Our public parks serve as inclusive spaces where residents and visitors alike can connect with nature, family, and community. These areas offer valuable natural resources such as rivers, wetlands, and forests, as well as human-made amenities including sports fields, picnic areas, playgrounds and community areas.

Recreation is a voluntary pursuit, yet it plays a critical role in personal fulfillment, public health and community engagement. Accessible to individuals of all backgrounds, public recreation venues promote equity and social cohesion. They provide opportunities for healthy physical activity, emotional well-being, and environmental awareness.

Furthermore, the impact of outdoor recreation extends beyond individual participants. Local businesses benefit from increased foot traffic and demand for goods and services such as food, sporting equipment, and souvenirs. These activities help strengthen the town's economic base while reinforcing our shared responsibility to protect clean air, water, and natural habitats.

Investing in outdoor recreation infrastructure and programming is an investment in the health, unity, and sustainability of Maple Rapids.

Rationale for the Plan

The purpose of this plan is to guide the future development of parks, outdoor recreation areas, and open spaces within Maple Rapids, Clinton County, Michigan, for the years 2026 through 2031. The village of Maple Rapids previous plan expired in 2013. Since that time, Maple Rapids has been ineligible to receive state or federal grants to support outdoor recreation or the development of facilities, expansion and maintenance of current recreation points in the village. A critical component of this plan is to ensure eligibility for grants aimed at developing recreational facilities. Specifically, this plan will align with the requirements set by the Michigan Department of Natural Resources (DNR), which is necessary to access funding sources like the Michigan Natural Resources Trust Fund (MNRTF) and the federal Land and Water Conservation Fund (LWCF).

Importance of Grant Funding

The MNRTF, established by Michigan voters in 1984, and the LWCF, created in 1965, are vital sources of funding for land acquisition and the development of outdoor recreation facilities. These funds are substantial and represent a key opportunity for Maple Rapids to enhance its public recreational resources.

- **MNRTF Funding**: This fund is specifically designed to support the acquisition and development of public outdoor recreation areas. Its revenue is generated from royalties and lease payments on state-owned minerals, such as oil, natural gas, and hard rock minerals. The MNRTF represents a unique model of converting one-time financial gains from non-renewable resources into lasting public benefit. To date, Maple Rapids has not received any MNRTF grants, although the opportunity to apply remains available through this plan.
- **LWCF Funding**: The federal Land and Water Conservation Fund also provides grants for the development of outdoor recreational facilities. The program is designed to support improvements at the federal, state, and local government levels. The funds come from oil and gas lease royalties on federal lands. The LWCF program operates on a competitive annual basis, and having an approved 5-year outdoor recreation plan is a prerequisite for securing funding.

Public Involvement and Transparency

This plan emphasizes public participation throughout the development process. Engaging the citizens of Maple Rapids in decision-making ensures that the recreation plan aligns with community needs and desires. Public meetings, surveys, and input from the Parks and Recreation Committee will be used to gather feedback, identify priorities, and assess existing resources. The goal is to develop a plan that accurately reflects the desires of the community while making strategic improvements to the current outdoor recreation offerings.

Alignment with DNR Planning Process

To meet DNR standards, the planning process includes a comprehensive review of current resources, opportunities for growth, and the surrounding jurisdiction's recreational infrastructure. The process is intended to ensure that Maple Rapids can maintain and improve existing resources, while also planning for new opportunities that align with both community input and broader regional needs. By following the DNR's prescribed process, Maple Rapids will also demonstrate its commitment to long-term stewardship of public spaces.

Enhancing Accessibility and Non-Motorized Recreation

An important aspect of this plan is aligning with broader state initiatives, such as Michigan Public Act 51 of 1951 (Transportation Fund Act), which mandates that a portion of transportation funds be dedicated to non-motorized transportation facilities. This includes the development of bike paths, pedestrian routes, and other infrastructure that enhances accessibility and outdoor recreational options. Maple Rapids will seek to integrate such facilities where possible, benefiting not only local residents but also visitors to the community.

Final Thoughts

Without an updated and approved outdoor recreation plan, Maple Rapids would remain ineligible for crucial funding that could enhance public outdoor spaces and support the well-being of its residents. By creating a robust, community-driven plan, the village can open the door to substantial financial resources from the MNRTF, LWCF, and other sources, while fostering a future of accessible, sustainable outdoor recreation opportunities. This plan sets the stage for Maple Rapids to enhance its parks and recreation infrastructure, contribute to the vitality of the community, and provide lasting benefits to current and future generations.

Required Plan Content

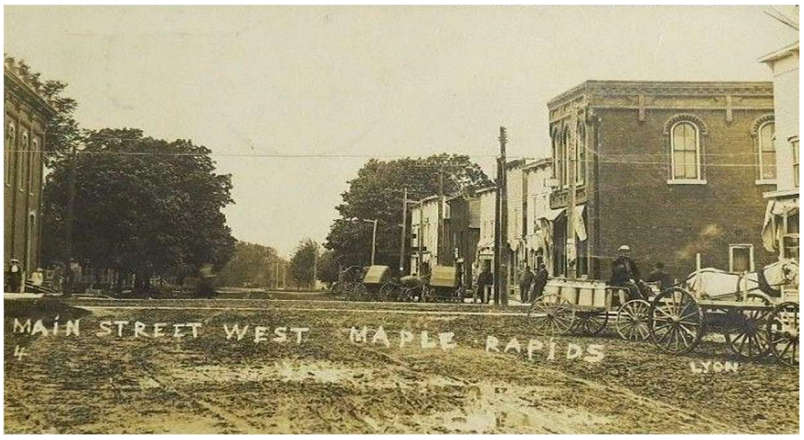
The DNR requires the following for an approved plan:

- Community Description
- Administrative Structure
- Recreation Inventory
- Resource Inventory
- Description of the Planning Process
- Description of the Public Input Process
- Goals and Objectives
- Action Program

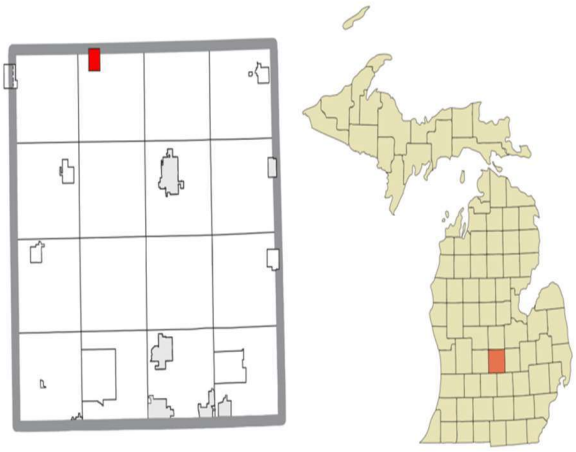
The Village of Maple Rapids Plan fully meets these requirements.

Community Description

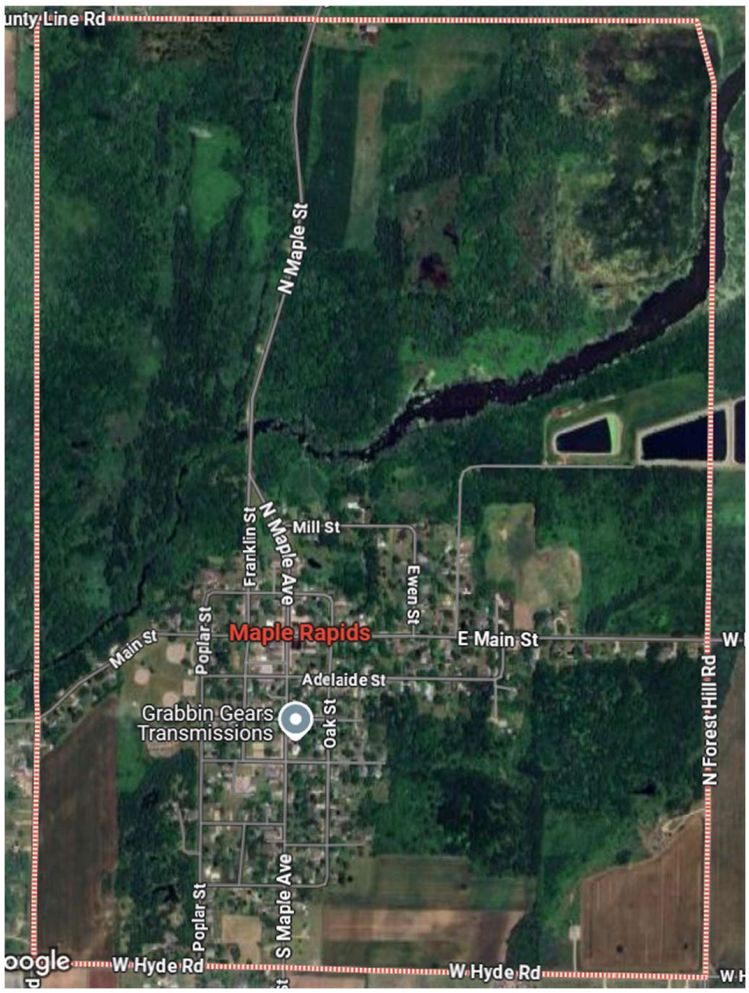
The Village of Maple Rapids is in Essex Township in northwestern Clinton County. It is named after rapids on the Maple River in 1826 by trader George Campau. Native Americans had used the site to fish, grow crops and live prior to and during the early development of Maple Rapids during Michigan settlement. They are honored by a monument adjacent to the picnic shelter in the Village Park today. The Village was platted in 1852 and incorporated as a general law village in 1881. Then, as now, the Maple River is the key natural feature of the area.



Main Street 1912



Location Map



Map of the village

Social Characteristics

Population

From the 2010 to 2020 census, the Village saw a decrease in population, from 643 in 2010 to 573 in 2020. Since then, the US Bureau of the Census estimates that the population has increased to 584 as of 2024.

Based on the 2020 Census, there were 296 households of which 31.7% had children under the age of 18 living with them, 42.6% were married couples living together without kids. 26.9% were married couples living together with kids, for a total 69.5% of households with a married couple living together. 15.8% had a female householder with no husband present, 4.8% had a male householder with no wife present, and 25.9% were non-families. 20.3% of all households were made up of individuals of which 9.6% had someone living alone who was 65 years of age or older. The average household size was 2.5 and the average family size was 3.06.

Source: U.S. Census Bureau, Census 2020.

Median Age

The median age in the village was 36.5 years. 20.6% of residents were under the age of 18; 13.1% were between the ages of 18 and 24; 25.6% were from 25 to 44; 15.1% were from 45 to 64; and 15.3% were 65 years of age or older. Gender makeup was 50.2% male and 49.2% female.

Source: U.S. Census Bureau, Census 2020.

Income, Poverty and Employment

Year-round Maple Rapids households had a median income of approximately $50,357 in 2023, which is about two-thirds of the amount in the Lansing-East Lansing, Mi Metro area. Per capita income in 2023 was around $25,019, which is about two-thirds of the median in the Lansing-East Lansing metro area and Michigan as a whole. The Overall Poverty Rate in 2023 was approximately 39%, more than double the rate in the Lansing-East Lansing metro area and Michigan. Child Poverty Rate was approximately 73% Around 60.3% of residents aged 16 and older were in the labor force. Approximately 3.0% among those aged 25 and over were unemployed.

These figures indicate that Maple Rapids faced economic challenges in 2023, with a significant portion of the population living below the poverty line and a lower median household income compared to state and regional averages.

Source: Censusreporter.org 2025

Physical Characteristics

Location & Transportation Network

Maple Rapids is a small village located in Essex Township, Clinton County, Michigan. Situated approximately 10 miles northwest of St. Johns, it encompasses an area of 1.42 square miles, with 1.36 square miles of land and 0.06 square miles of water. The village is positioned within the Maple River State Game Area, offering a blend of rural charm and natural beauty.

Due to its rural setting, Maple Rapids lacks a comprehensive public transit system. However, residents and visitors have access to several transportation options:

Personal Vehicles - The most common mode of transportation in Maple Rapids is personal vehicles. The village is accessible via local roads connecting to nearby towns and cities.

Rideshare Services - Rideshare services like Uber and Lyft are available in Maple Rapids. These platforms offer various ride options, including standard and XL services, providing flexibility for local travel.

Clinton County Transit (CCT) - Clinton County Transit offers public transportation services in the region. While specific routes and schedules may vary, CCT provides an essential link for residents needing access to broader areas within the county.

Maple Rapids also has nearby highways, and access points such as M-21: A major east-west route connecting to nearby towns and cities, M-57: Another significant highway providing access to the region and US-127: A major North-South route connecting to nearby towns and cities.

These highways facilitate travel to and from Maple Rapids, connecting it to the broader transportation network of Michigan.

Climate

Maple Rapids weather, like all of Michigan's, influences the recreational opportunities available throughout the year. The area can support a variety of activities throughout the year from swimming to skiing.

Temperature Overview

- Summer: July is the warmest month, with average highs around 82°F (28°C) and lows near 60°F (16°C).
- Winter: January is the coldest month, with average highs around 29°F (-2°C) and lows near 15°F

(-9°C).
- Annual Range: Temperatures typically range between 25°F (-4°C) and 75°F (24°C) throughout the year, though extremes can reach as low as -17°F (-27°C) and as high as 96°F (36°C).

Precipitation & Snowfall

- Annual Precipitation: Approximately 39.8 inches (1011 mm) of rain annually, with 131 rainy days
- Monthly Variation: May, June, and October are the wettest months, averaging 4.8 inches (122 mm) of rain per month.
- Snowfall: Receives about 44 inches (112 cm) of snow per year, with January being the snowiest month at 13.4 inches (34 cm).

Sunshine & Daylight

- Annual Sunshine: Approximately 2,770 hours of sunshine per year.
- Sunniest Months: June, July, and August average 11 hours of sunshine per day.
- Daylight Hours: Daylight varies from 9 hours 3 minutes in December to 15 hours 16 minutes in June.

Climate Comfort

Maple Rapids boasts a high comfort index of 9.3 out of 10, indicating a more comfortable year-round climate compared to many other places in Michigan.

Source: nomadseason - Monthly climate in Maple Rapids, Michigan, United States

Topography & Landforms

The village is positioned along the Maple River, a 74.1-mile tributary of the Grand River, which meanders through Clinton, Gratiot, and Ionia counties before converging with the Grand River at Muir

The village's elevation ranges from approximately 652 feet to 688 feet above sea level, indicating a relatively flat landscape with slight undulations.

The village is next to the Maple River State Game Area which is an expansive 9,252-acre conservation area that stretches along the Maple River and includes marshlands, wetlands, and forested regions. The area provides diverse habitats for wildlife and is a significant feature of the local landscape.

The vicinity of Maple Rapids is predominantly agricultural, with expansive fields of corn, soybeans, wheat, and hay. These flat and fertile lands are integral to the region's economy and contribute to its rural character.

Source: mapcarta

Water Resources & Drainage

Maple Rapids, Michigan, is situated within the Maple River watershed which is a significant tributary of the Grand River. This watershed spans approximately 944 square miles across Clinton, Gratiot, Ionia, and Shiawassee counties, encompassing the Upper Maple River Watershed. The Maple River originates in Shiawassee County and flows westward through Clinton, Gratiot, and Ionia counties before joining the Grand River at Muir. The river is impounded by five major dams: Lake Victoria, Lake Ovid, Elsie, Rainbow, and Hubbardston. These dams have historically altered the river's flow and ecology. The Maple River State Game Area, encompassing portions of Clinton, Gratiot, and Ionia counties, is a notable feature within the watershed. This area includes wetlands and floodplain forests that provide critical habitat for wildlife and help in flood water retention.

The Maple River watershed faces challenges related to non-point source pollution, which occurs when pollutants are carried into water bodies by runoff from rainfall or snowmelt. Efforts have been made to address these issues through watershed management planning, focusing on reducing sediment and nutrient runoff into the river.

Additionally, the U.S. Fish and Wildlife Service has been involved in projects to restore natural hydrological connections within the watershed. For instance, the Landscape-scale Maple River Reconnection Project aims to replace culverts and restore stream channels that have been disconnected since the 1800s. This restoration is expected to reduce flooding, enhance fish habitat, and improve water quality.

Source: Upper Maple River WATERSHED MANAGEMENT PLAN

Fish and Wildlife

Maple Rapids is located next to the Maple River and its surrounding wetlands support a diverse range of fish species, including:

- Northern Pike
- Largemouth and Smallmouth Bass
- Northern and Black Crappie
- Bluegill and Pumpkinseed Sunfish
- Yellow Perch
- Channel Catfish and Bullhead Catfish
- Bowfin
- Rock Bass

These species thrive in the river's varied habitats, from marshes to open water areas.

The area is also a prime destination for birdwatching, especially during migration seasons. Notable bird

species include:

- Tundra Swans: Often observed in early spring.
- Bald Eagles: Commonly sighted year-round.
- Prothonotary Warblers: Nest in wooded swamps.
- Wood Ducks: Nesting boxes have been installed to support their populations.
- Various Ducks: Including Northern Shovelers, Pintails, Ring-necked Ducks, Redheads, and Ruddy Ducks.
- Wading Birds: Such as Great Blue Herons and Great Egrets.
- Shorebirds: Including Hudsonian Godwits and Least Sandpipers.
- Raptors: Like Ospreys and Rough-legged Hawks.
- Other Species: Including Sandhill Cranes, Snowy Egrets, and King Rails.

The area is also home to various mammals, including:

- White-tailed Deer
- Coyotes
- Beavers
- Muskrats
- Foxes
- Raccoons
- Mink
- Porcupines
- Chipmunks
- Squirrels
- Bats
- Rabbits

Utilities & Community Services

Although the Village is a small community, it offers an array of full services. Water is supplied via a well system and sewer needs are met by a lagoon system.

The Village of Maple Rapids has partnered with the Elsie Police Department for contractual hours of dedicated police coverage per week. When the Elsie Officer is not on duty, Maple Rapids is covered by the Clinton County Sheriff's Office and Michigan State Police.

Fire protection is provided by the Maple Rapids Department located in Maple Rapids. The department also serves the Townships of Essex, Fulton, Lebanon, and North Shade.

Administrative Structure

Roles of Commissions/Advisory Boards

The Village of Maple Rapids is governed as a general law village. It is governed by a Village council of 7 members. The Village Council meets the 1st Wednesday of every month at 7:30 p.m. at the Community Center, 209 W. Union Street, Maple Rapids.

Department, Authority, Staff Description and Organization Chart

Membership of the Village Council is:

- William Schmidt – President
- Paul Sorah – President Pro Tempore
- Mitch Leiby – Trustee
- Zackery Manning - Trustee
- Heidi S Holland - Trustee
- Amanda VanEtten - Trustee
- Sharon Fitzpatrick – Clerk
- Melinda Thomas – Treasurer

The Park and Recreation Committee of the Village Council is:

- Zackery Manning
- Heidi S Holland
- Amanda VanEtten
- Cheryl Sorah - Village Resident committee member
- Tracey Coffin - Village Resident committee member

The Village Council approves the Village budget and any expenditures to improve, repair and operate the parks and recreation program within the Village. Work is carried out by two Village employees, DPW Supervisor and full-time employee Mike Townsend and DPW full-time employee Tate Bennett. Park maintenance is one of many duties of the two DPW employees. Those park maintenance activities include but are not limited to:

- Mow all lawns
- Empty Trash Containers – pickup any trash on ground
- Install seasonal park equipment in spring and uninstall and store away in winter
- Maintain all equipment in good repair.
- Maintain the ball fields

- Supervise all capital improvements/renovations that involve volunteers
- Maintain Veterans Memorial Monument in the park
- Set up and take down for special events
- Maintaining public restroom facilities

Park and Recreation Programming/Programs/Volunteers

Park and recreation programming are provided by citizen volunteers and non-profit organizations to which many residents belong. One key set of activities are community baseball, softball and t-ball leagues on the three ball diamonds. The Maple Rapids Ball Boosters are critical to this effort. Other important Village recreation programs include:

- Annual Rabbit Hunt which promotes adult and youth hunting with an emphasis on safety and enjoyment
- Village parks are used throughout the year for various family reunions, birthdays, open houses and various other events

Key volunteer contributions include:

- Maple Rapids Ball Boosters - Operate Village baseball, softball and t-ball leagues.
- Maple Rapids Business Association
- Community Volunteers with the Village Festival committee for community clean-up days

In addition to the above-mentioned efforts, the Village has also worked with the Fulton School District. The district has used the Village ball fields for tournaments and have shared equipment between the Village and the school district on occasion. Other contributions and cooperation include various church donations for new and updated recreational equipment. Scouts and Scouting leadership have been especially helpful to the parks. For example, in 2009 an Eagle Scout added 6 park benches to our ball fields, constructing two handicap accessible benches at each field, providing access and comfort, especially to disabled visitors such as grandparents as they enjoy seeing their grandchildren involved in recreation. In 2020, an Eagle Scout installed 2 horseshoe pits and a musical play area to Veterans Memorial Park. The Village has also worked with Habitat for Humanity in the past taking part in their “Rock the Block” program which assisted selected village residents spruce up their homes or structures.

Current Funding Sources and Park and Recreation Budget

The Park and Recreation budget comes from limited General Fund dollars annually appropriated for parks & recreation. In 2023 $8,000 was budgeted for expenses and $898.91 was expensed. The budget for 2024 was again $8,000 and $7,134.14 was expensed. These expenses include bark, sand, wood chips, diamond dust for the ball fields, any equipment that needs replacing or is added and all supplies. In addition, the Village expended labor and equipment costs to maintain the parks of $15,000 in 2024. This is about the same amount that is spent each year for maintenance and will continue in the future. For baseball, softball and t-ball, the Maple Rapids Ball Boosters are the key funding source, using funds raised

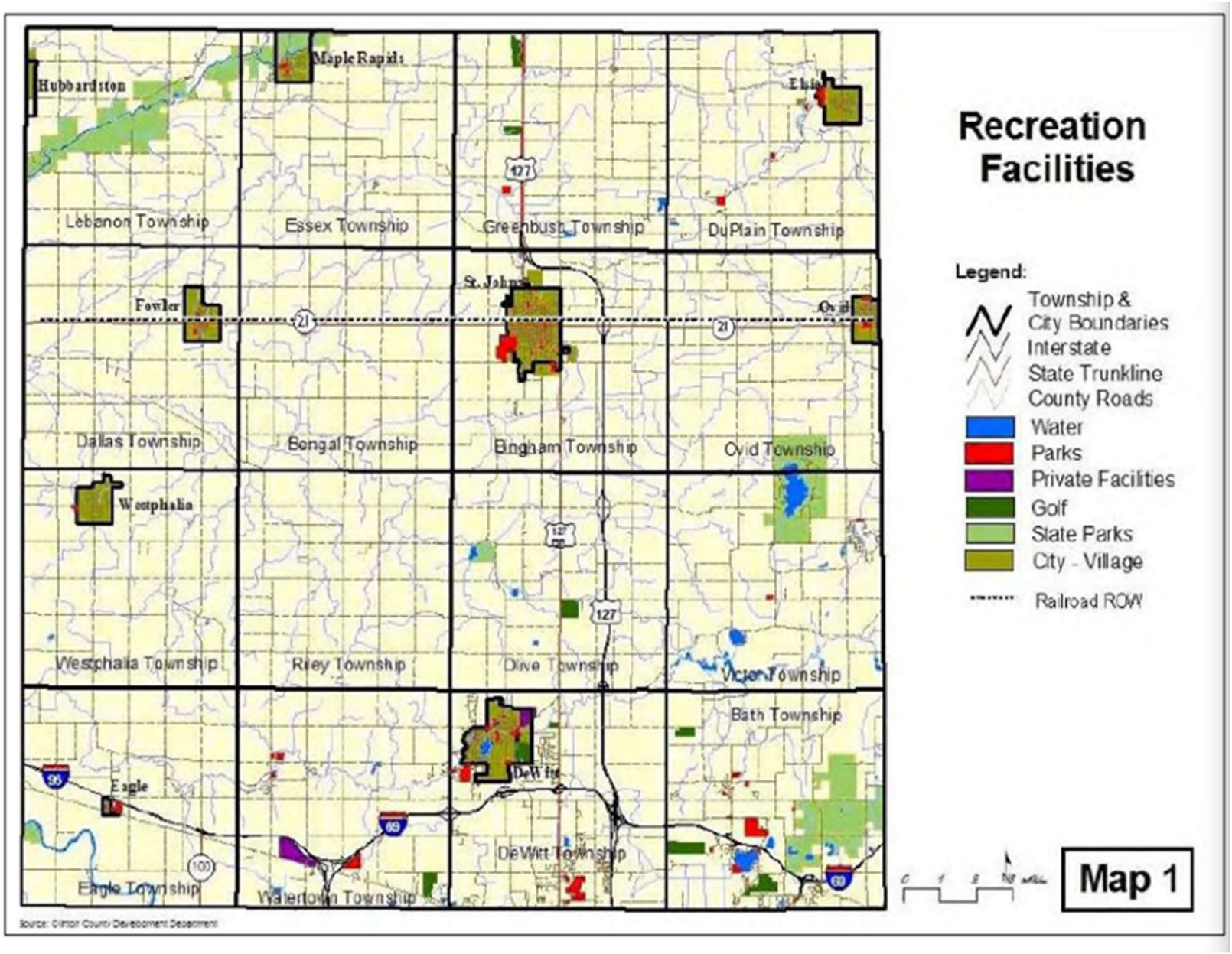
throughout the year and volunteer labor to provide this popular program with some assistance from the Village. The restroom facilities at the ball fields are also used during many other community events besides ball games as they adjoin much of the other parkland in the Village and are very close to downtown.

Relationship with Schools, Other Public Agencies and Private Organizations

The Village of Maple Rapids is within the Fulton School District. The key public agency partner to the Village in terms of outdoor recreation opportunity is the Michigan Department of Natural Resources and Environment Wildlife and Recreation Divisions. The Wildlife Division manages the 11-thousand-acre Maple River State Game Area, a set of parcels with many in-holdings that provide outstanding public hunting and wildlife viewing opportunities. This land has little development, with county roads, some DNR minimum maintenance roads and parking areas comprising most of the development. The area does not have outdoor recreation facilities such as picnic areas and a designated non-motorized trail system, as the focus is to provide optimal wildlife habitat and to focus on fish and wildlife-oriented recreation such as hunting, fishing and wildlife viewing. The most significant development is related to former diked agricultural areas that have been purchased by the DNR and restored as highly productive emergent
wetlands. These are located upstream (east northeast) from Maple Rapids on both sides of US-127 in a series of wetland units A-E and additional satellite units. The Recreation Division manages a number of boating access sites on the Maple River. However, none are in the Village and boating access in the Village is not available for trailered boats and difficult for carry-in craft on DNR State Game Area lands on the north side of the river (just north of the Village). The parking is limited, the road is primitive and there is no clearly defined launch site for any type of watercraft, even a canoe or kayak.

Recreation and Resource Inventory

Using the inventory for the 2025-2029 Clinton County Park, Recreation and Open Space Plan and Maple Rapids Parks and Recreation Committee, the following recreation resources are available in Clinton County townships of Essex, Lebanon, Greenbush, Dallas, and Bengal, which encompasses the Village of Maple Rapids.


Recreation Facilities
Legend:
Township & City Boundaries
Interstate
State Trunkline
County Roads
Water
Parks
Private Facilities
Golf
State Parks
City - Village
Railroad ROW
Hubbardston
Maple Rapids
Lebanon Township
Essex Township
Greenbush Township
DuPlain Township
Fowler
St. Johns
Ovid
Dallas Township
Bengal Township
Bingham Township
Ovid Township
Westphalia
Westphalia Township
Riley Township
Dallas Township
Victor Township
Eagle
Eagle Township
Watertown Township
DeWitt
DeWitt Township
Bath Township
Map 1
Source: Clinton County Development Department

State Owned Recreation

The State of Michigan has key facilities and lands that help meet outdoor recreational needs. One of these areas is in northern Clinton County.

- Maple River State Game Area is located in Lebanon and Essex Townships in Clinton County with additional acreage in Gratiot and Ionia County, this area has an extensive system of forests, wetlands and some widely spaced, generally primitive river access sites. The 11,000-acre area is managed for wildlife habitat, which in turn provides opportunities for hunting, fishing, wildlife viewing, boating and walking/hiking. Non-motorized trails are generally unimproved and provided to facilitate hunter access. The Maple River traverses the area and provides boating opportunities for canoes and other small boats as well as fishing. The river has a significant floodplain and navigation for powered watercraft is often challenging due to log jams, shallow water, etc.

Clinton County Facilities

Northeast Clinton County now owns two park areas. These include Clinton Lakes and Motz County Park in Greenbush Township.

- Frances Motz County Park is a 42-acre site which features a 15-acre lake. This park provides a swimming beach, bath house and fishing platforms. All the facilities are universally accessible.
- Clinton Lakes County Park is a 272-acre site which features two separate lakes, one of 90 acres and a second of 12 acres. This park provides a non-motorized accessible trail system, accessible carry-in boat launch, fishing, picnic tables, and swimming.

Township Facilities

The four townships in the NW corner of Clinton County offer a limited range of developed recreational opportunities. Several townships offer nothing more than a small playground area adjacent to their township hall or no facilities at all.

Dallas Township

- Fowler Conservation Club is a private 10-acre site with woods and river access. It also has an outdoor pavilion and a building that can be rented for various activities.

City and Village Recreation

The cities and villages within Clinton County offer diverse recreational opportunities just like the townships. Some have small community parks while others have larger parks and activity

programs. Those cities and villages without established facilities are not listed.

Village of Fowler

- Fink Park contains softball/baseball diamonds, playground, and a pavilion and restrooms.
- Victor Street Park contains an ice rink and playground.
- Field of Dreams includes a playground and play equipment; picnic area and pavilion.
- Trailhead to the state-owned Fred Meijer CIS Trail that was constructed in 2014.

Village of Maple Rapids

- Maple Rapids Memorial Ball Fields
- Maple Rapids Village Park
- Maple Rapids Community Center

Source: Clinton County Park, Recreation and Green Space Plan 2025-2029

School Facilities

The two public school districts and various private schools that serve the Northwest corner of Clinton County residents offer various recreational opportunities. Playgrounds and sports fields including baseball, football, soccer and running tracks are available at most, if not all these schools. Although their size and style vary, the primary focus is that they offer recreational activities. The following lists the two public school districts; however, no attempt has been made to inventory each school district's facilities at this time.

- Fowler
- Fulton

School facilities play a minor role in the provision of recreational opportunities within the County. They meet the local recreational needs and provide the majority of the local indoor recreational experiences. The availability of school recreational facilities to the general public varies by school district.

Private Facilities

There are also numerous private facilities that have not been inventoried in detail since they predominantly offer specific recreational opportunities that may not appeal to a broad enough cross section of the county population. They include golf courses, shooting and archery clubs.

Detailed Inventory of Community Owned Parks and Recreation Facilities in Village of Maple Rapids

The Village of Maple Rapids Parks and Recreation Committee evaluated the park and recreation facilities in the Village of Maple Rapids through an on-site inspection of all facilities on June 24, 2025,

and through records and information provided by the Village of Maple Rapids. All Village Park facilities are designed to serve the entire Village population and also serve those in the surrounding township (Lebanon) which has no township facilities. The park type for all is local. The detailed inventory of the Village park and recreation facilities uses the DNR's rating scale of accessibility found on page 7 in the Guidelines for Development of Community Park, Recreation, Open Space and Green Space Plans:

1=none of the facilities/park areas meet accessibility guidelines
2=some of the facilities/park areas meet accessibility guidelines
3=most of the facilities/park areas meet accessibility guidelines
4=entire park meets accessibility guidelines
5=entire park developed/renovated using principles of universal design

- Maple Rapids has the Memorial Ball Fields. This 3-field, 15-acre complex serves all ages of ball players from T-ball to adult leagues. Rest room facilities are both porta johns (that are accessible) and a cinder block building with toilets, wash basins and hand towel dispensers. They are not considered fully accessible and need to be upgraded as a drain in front of the doorways has a grate that runs the same way as wheelchair traffic would and the grates are an inch wide, creating a hazard for those in a wheelchair with narrow tires or a person with a cane. However, the grounds of the ball fields are firm with minimal slope of less than 4%, providing access across the fields and in the large, well-maintained area for spectators. While the bleachers are not accessible, there is considerable room to sit with a wheelchair or other portable chair on firm ground and in the shade of trees directly adjacent to parking. There is no lip from the roadway, the grassy parking areas to spectator areas or onto the field, allowing mobility impaired individuals to use the full area. Trash receptacles are 36" in height and require less than 5 pounds of pressure to open (swinging cover on a hinge), thus are accessible. Hence, there are no inherent characteristics of the site that would preclude universal accessibility and renovation of the permanent restrooms is the only change required to provide universal access.

- The two tennis courts are level with the surrounding landscape and are accessible. This area would be rated a 3 with the clear potential to be readily upgraded to a 5.

- Maple Rapids Veterans Memorial Park provides a picnic pavilion, playground and veteran's memorial on approximately 1.5 acres. The site, while bounded by streets with low-speed limits (25mph) and some sidewalks, does not have a designated non-motorized trail. Rest room facilities are located across the street and shared with the baseball fields and have already been described. The grounds of the park areas are of minimal slope with firm soils. Parking is on the adjacent streets. Many access the park on foot or by bicycle.

    - The picnic shelter has approximately 1,000 square feet of concrete floor space and is accessible except for a lip as the concrete and left-over form boards from pouring the concrete create a lip of greater than an inch. This could be easily remedied by creating a couple of cutouts to accommodate mobility impaired patrons. There are 15 tables in the shelter, none of which are accessible. Access could be created by modifying existing tables by extending top boards or removing a seat on one side.

    - The playground area is approximately 17,000 square feet and contains two playground slide/platform structures made of plastic that are “modern”. In addition, there are multiple swing sets that have a variety of swings. The area surrounding the playground equipment is covered in wood mulch and there are no visible concrete abutments sticking up to endanger children.
    - 2 regulation size horseshoe pits are on the Northwest corner.
    - The drinking fountain is 34” above a sidewalk and has no lip to deter access. It has a push button mechanism to activate it and this can be accomplished with less than 5 pounds of pressure.
    - The Veterans Memorial Park is semi-accessible with a sidewalk with no lip for access and no measurable slope.
    - In summary, the park is rated as a 3 with only minor improvements needed to every facility except the playground, which would create considerable expense with rubber matting needed to raise it to the universally accessible level. If the playground is excluded from this assessment, the rest of the park could very easily be upgraded to a 5.
- Approximately ¼ acer of park land Northeast corner of Franklin and Union Streets. Includes a basketball court and volleyball court. This site is currently unnamed. It is rated as a 3.
    - The basketball court is concrete with no lip to preclude access by a mobility impaired individual.
    - A sand volleyball court has no lip to preclude access by a mobility impaired individual. The area has bleachers to accommodate spectators. They are not accessible.
- North Point Park is approximately 1 acre of parkland in the triangle between Maple and Franklin is level, firm and well mowed grass. It does not contain any recreational facilities and appears to be occasionally inundated during high water in the Maple River floodplain. It is rated as a 1.
- Lamplighter Park is approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Main St. and Maple Ave. It contains four picnic tables and four benches for seating. It does not contain any recreational facilities and is used primarily during the two days of the DALMAC bike tour. It is rated as a 3.
- Approximately ¼ of an acre of parkland located in the downtown district on the NW corner of Maple Ave and Adelaide St. This site is named the Steigerwald Memorial Park. It does not contain any recreation facilities. It is rated a 3.
- Maple Rapids Community Center provides a meeting place for a wide variety of community events and can also be reserved for family related events (e.g. reunion, wedding reception, etc.). The community center is on grade with no steps up or down and a door jamb that does not preclude access by a mobility impaired individual. Doors are 36” to accommodate a person in a wheelchair. The restrooms at the community center are accessible, but the building is locked unless opened for a specific event. Hence, the rest rooms are not available at all the hours the

adjacent parkland is in use. Parking is available for more than 50 cars in a paved lot adjacent to the building with no curb or significant variation in grade. On-street paved parking is also available. Requisite handicapper parking sites are marked and provide the closest and most direct access to the building. The center is rated as a 5.

One final observation is that the Village takes great pride in excellent maintenance of all park and recreation facilities. The grass is mowed frequently throughout the summer, the ball fields in fields are maintained in excellent condition, signage was accurate, all structures were properly painted, sidewalks were level and in good repair, trees (both established and recently planted) were flourishing, monuments commemorating Native Americans, a founder of the baseball fields, donation of land by another resident and the Veteran's Memorial is in good condition. Plans are being made to upgrade the Veterans plaques to recognize all wars and upgrade playground equipment. All playground equipment was serviceable, with no visible rust, flaking paint or concrete abutments. This maintenance involves both Village employees and many volunteers from the community.

DNR Recreation Grant Inventory

The Village of Maple Rapids has not received any grants from the Land and Water Conservation Fund, Michigan Natural Resources Trust Fund, Clean Michigan Initiative or the 1988 Recreation Bond Fund. Hence, the village is eligible for an additional 20 points under the current MNRTF scoring system as having never received such funding.

Summary

As the inventory and community description illustrate, while Maple Rapids has a few other public and private recreation facilities nearby, the village is somewhat isolated and is very oriented to the Maple River and surrounding environs. It has done an excellent job with its existing parkland which is focused on providing active (baseball, softball, basketball, tennis, etc.) and passive (picnic, playground, quiet and shaded public space) recreation for community residents and visitors and on commemorating original inhabitants of the area, veterans and civic minded persons who were champions for local recreation initiatives. However, the connection to local natural resource-based recreation is minimal. The Maple River State Game Area, due to its undeveloped nature and focus on wildlife habitat does not fully meet the needs of Village residents to effectively access and enjoy the river in the Village. Nor does it provide access for even the able-bodied, let alone the disabled to participate in outdoor recreation activities such as fishing, launching a watercraft or other resource-based activities. Access sites provided by the DNR are outside the Village, often flooded during high water periods and have a reputation as sites receiving relatively little management and security attention, resulting in access challenges, litter and a sense of insecurity. This is not conducive to meeting the outdoor recreational needs of Village residents as the following Recreation Needs Assessment will further illuminate.

Planning and Public Input Process

The planning process used is what the DNR, in the Guidelines for the Development of Community Park and Recreation, Open Space and Greenway Plans, characterizes as the "systems approach to planning". The needs of the community are assessed by multiple levels of public input and translated into a framework for meeting the physical, spatial and facility requirements to satisfy those needs.

Maple Rapids Recreation Needs Assessment

The needs assessment is presented using the questionnaire that was distributed to all Village households in summer 2025. Frequencies in the form of percentages are placed directly on the questionnaire, making it easy for the reader to follow the flow of the questionnaire and the information. The questionnaire was developed by the authors partially based on public input received at a well-advertised public meeting at the Maple Rapids Park pavilion held June 11, 2025.

Of the 240 households receiving the questionnaire, 39 responded for a 16.3% response rate. Comparison of the demographic characteristics of respondent households to 2000 Census data suggest that the respondents were representative of the population of Maple Rapids in demographic terms (e.g. household size, percentage of households with children, whether renter or owner, etc.). All responses and commentary are in ***bold italics.***

Goals and Objectives

Based on the needs assessment, the input from the public meeting, the recreation inventory of Maple Rapids and the surrounding Clinton County, the judgment of the authors and the input of the Maple Rapids Village Council, the following goals and objectives are proposed.

Goals

Over the next five years, the Village's primary objective is to enhance outdoor recreational opportunities within its existing parkland. This initiative will focus on expanding universally accessible recreation options, upgrading current park restroom facilities. These improvements will build upon the exceptional efforts of the Village and its dedicated volunteers in maintaining public park infrastructure, further ensuring that the parks remain welcoming, accessible, and enjoyable for all residents and visitors.

Objectives

1. Renovate the existing restroom facilities adjacent to the ball fields to be universally accessible.

2. Renovate the existing picnic pavilion adjacent to the Veteran's Memorial to be universally accessible.

3. Install new sidewalks to the current ballfield restroom and modify the restroom facility so that there are additional universally accessible restroom facilities near the Veteran's Memorial to serve the playground and picnic pavilion.

4. Develop a paved non-motorized transportation/trail system in the Village connecting village assets for walking, running, bicycling and in-line skating. This may use existing sidewalks and develop non-motorized lanes/corridors on existing streets, as well as benefit from new construction of dedicated non-

motorized trails. to encircle the village and around the ballpark.

5. Install a small play area near the Community Center to provide activities for young children while using the center.

6. Add benches and/or picnic tables to all parks for seating to provide rest opportunities for Village residents and visitors using the parks.

7. Provide opportunities for recreational activities that can be shared by all family members to help strengthen family ties and build community.

8. Incorporate security for the parks and facilities for the safety of the community.

Action Program

Objective	Action Steps	Outcome
1. Renovate ball field restrooms	Upgrade to ADA-compliant design — grab bars, wider stalls, accessible routes	Improved usability for visitors with disabilities
2. Upgrade picnic pavilion	Modify seating and pathways near Veteran's Memorial.	Inclusive programming and gatherings
3. Improve accessibility connectivity	Install sidewalk to ballfield restroom; add accessible restrooms near Veteran's Memorial for playground/pavilion	Safer, direct access to facilities
4. Non-motorized trail system	Develop paved paths linking parks, village assets; add dedicated lanes where needed; encircle village and ballpark	Multi-use trail for walking, biking, skating
5. Add play area at Community Center	Install age-appropriate, safe, accessible playground	Increase youth engagement and multi-generational use
6. Install seating in all parks	Add benches and picnic tables	Rest opportunities for all users
7. Promote family recreation	Organize events—family sports days, nature walks, community picnics, Spring Clean up days	Strengthened family and community bonds
8. Ensure Safety	Install Security systems throughout the parks	Increases awareness and protects investments put into the community.

Literature Cited

U.S. Bureau of the Census. (2020). Census 2020, Village of Maple Rapids, Michigan. Clinton County Park, Recreation and Green Space Plan 2025-202925

Upper Maple River WATERSHED MANAGEMENT PLAN

nomadseason - Monthly climate in Maple Rapids, Michigan, United States

mapcarta

APPENDIX A

Parks and Rec – PUBLIC MEETING
06/11/25 – 7:00PM
Maple Rapids Park Pavilion

Attendees: - Cheryl Sorah, Zack Manning, Heidi Holland, Tracey Coffin, Amanda VanEtten
6 members of the public also attended

Purpose of the meeting – To receive public input for the Parks and Rec survey that will be going out to the village residents in the July Newsletter. Discussed the purpose of having a parks and rec plan in place and having it submitted to the DNR for grant funding opportunities. Discussion of the timeline for the survey as well as the 5 year parks and rec plan submission. – The goal is to have the surveys go out with the water bills and newsletter in July. We will request that the surveys be returned by July 31st. The committee will collect and review the data received and work on finalizing the Parks and Rec plan and meet as a group on 8/12/25. By 9/15/25 we plan to post the 5 year parks and req plan for a 30 day review by the public. The committee will then take the plan to the board in October for review and approval. The goal is to submit the plan to the DNR prior to the Feb 2026 deadline.
The group reviewed multiple questions and narrowed down the questions to develop a 10 question survey. The plan is to have a paper copy, as well as an electronic option. Our goal is to provide a link as well as a QR code if possible.
Our public members indicated they would like to see the following upgrades to our current parks.

- Merry go round
- Steeper/larger slide
- Platform swing
- Jungle gym/monkey bars
- Tether ball
- See saw
- Rock climbing wall
- Bigger swings
- Splash pad
- B-Ball tournaments

Parks and Rec – Follow up Meeting
6/11/25 7:45PM
Attendees: - Cheryl Sorah, Zack Manning, Heidi Holland, Tracey Coffin, Amanda VanEtten

Old Business:
Status of the Geocaching Event. – MRCC is available 8/16/25. There will be a training from 11-1pm for new Geocachers. A Geocaching map has already been developed, and there will be 114 Caches. The committee will pay for water, snacks, and wooden nickel prizes for the event out of the 2025 Parks and Rec fund. A Facebook event page will be made as well as flyers.

Gazebo can be moved and tables can be used that are currently stacked in the park pavilion. We would like to propose at the next council meeting that Mike and Tate remove the pavilion and put the tables and make sure there is a trash bin there for people to use.

New Business
Work on the surveys to get them out with the July water bill. Heidi agreed to pick up and tally surveys as they come in. Ask that Sharon/Mindy put the survey link on the website as well. Write a blurb as to why it is important to complete the survey indicating the ability to apply for grants to help fund future projects within the village.

Village of Maple Rapids

Parks & Recreation Committee

Public Meeting

When: Wednesday, June 11th

Where: Pavilion in Park (Main Street & Franklin)

Time: 7:00 pm

Topic of Meeting

Discuss Parks Survey that is being worked on to help update The Village of Maple Rapids Parks & Recreation Plan. The Survey will be going out in early July and the committee would like public comments before the survey is sent out.

I certify that this document was posted at various locations around the Village of Maple Rapids including the Village Office and the local post office on June 4, 2025.

MICHIGAN NOTARY ACKNOWLEDGMENT

THE STATE OF MICHIGAN, COUNTY OF Clinton, DATED 10/31/2025

Melinda K. Thomas — Melinda K. Thomas

NOTARY PUBLIC SIGNATURE — PRINTED NAME

MY COMMISSION EXPIRES May 28, 2025 ACTING IN THE COUNTY OF Clinton

MELINDA K. THOMAS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires May 28, 2028
Acting in the County of Clinton

Appendix B

Responses to the Village of Maple Rapids Parks Survey

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The Village of Maple Rapids, Michigan – Survey on Parks and Public spaces.
https://www.surveymonkey.com/r/JT6JL8Y

The development of a new, updated plan for parks and recreation is underway, and your input is essential. The goal is to ensure parks remain functional, and welcoming spaces, that meet community needs. To achieve this, the parks and recreation committee needs to understand from the community, what is valued the most, and what improvements are most desired for our current and future plans.

Completing the survey will influence:

- Securing funding – Helps to provide valuable data to justify investment in the parks and community areas, and secure funding. A current, and approved plan is essential for the eligibility of grant programs for funding park and community development improvements. Community participation strengthens grant applications.

- Future Park development – Feedback will guide decisions on new amenities, facilities, and the overall design of parks.
- Park operations – ensuring the parks are clean, maintained, safe, and enjoyable for all
- Recreational programing – Help tailor programs and activities to better serve the interests and needs within the community.

This survey is an opportunity for the community to:

- Share your opinions, tell us what you love and tell us what you'd like to change.
- Prioritize improvements – This will help us understand which areas require the most resources and attention.
- Build a stronger community – Participation fosters engagement and helps create parks that reflect the values of the residents of the community.

How to participate:

- Online - https://www.surveymonkey.com/r/JT6JL8Y
  - You can access the survey through the village website as well at: https://www.mapler-apids.org/
- Paper – The survey takes approximately 5-10 minutes to complete and is included with this mailing

- You may return your survey with your water bill or drop of the survey to the drop box at the village office any time between now and 7/31/2025.

Thank you for your time and valuable contribution to the future of our parks and community.

The deadline to complete the survey is July 31,2025.

The Village of Maple Rapids, Michigan - Survey on parks and public spaces.
https://www.surveymonkey.com/r/JT6JL8Y

The development of a new updated plan for parks and recreation is underway, and your input is essential. These questions aim to gather input from residents about how they'd like to use existing spaces, and what new amenities or accommodations they would use with their families. Your participation is greatly appreciated. Please turn the surveys into the village office by July 31, 2025.

1. How many persons in your household fall into each of the following age groups

0-5 _____**6**
6-12 _____**5**
13-19 _____**3**
20-39 _____**17**
40-64_____**25**
65+ _____**22**

2. Does anyone in your household, including you, have a disability or require specialized recreation? (Specialized recreation refers to recreation facilities and equipment that have modifications or accommodations to allow individuals with disabilities to use the facilities and equipment.) - If so are there any accessibility concerns or specific needs you'd like us to consider when designing or improving spaces?

Yes - **4**
No - **28**

If yes, (please specify in space provided)

3. How often do you and your family use public spaces within the village?

Several times a week - **2**
About once a week - **5**
Several times a month - **3**
About once a month - **4**

Less than once a month - **7**
Once a year – **4**
Never - **7**

4. Which of the following public spaces do your and your family currently use?

Playground areas - **16**
Picnic areas - **10**
Basketball Courts - **3**
Baseball Fields - **9**
Downtown Gazebo area - **2**
Other (please specify in space provided)
Park to walk – 1
Community Center – 2
River to fish – 1

5. Does anyone in your household use or take part in any of the following? (Check all that apply)

Baseball/Softball - **7**
Basketball - **7**
Bicycling - **9**
Dancing - 0
Disc Golf or Frisbee - **2**
Exercise Classes - **2**
Fishing - **16**
Gardening - **15**
Geocaching - **3**
Hiking - **8**
Horseshoes - **2**
Photography **- 3**
Pickleball - **2**
Picnicking - **9**
Playgrounds - **9**
Quilting - **5**
Rockhounding - **8**
Running/Jogging **- 4**
Skateboarding - 0
Shuffleboard **- 2**
Tennis - 0
Visiting Historical Sites **- 6**
Volleyball **- 4**
Walking **- 25**
Yard Games - **13**
Yoga - 0

Other (please specify in space provided)
Camping – 1
Library - 1

6. What types of new amenities or features would you like to see added to village parks or public spaces

Splash Pad/Water play area - **13**
Community Event Space **- 7**
More seating and shade areas - **13**
Accessible pathways and equipment for all abilities - **11**
Skatepark/Bike ramps **- 3**

Other (please specify in space provided)
Walking Paths -1
Better parking for fishing – 1
Benches at North Park – 1

7. If the village were to improve or redesign a public space what would be your top priority?

Safety (lightning, visibility, fencing) **- 13**
Accessibility for people with disabilities **- 10**
More activities for children and families - **12**
Beautification (Landscaping, art, cleanliness) **- 17**
Parking and easy access - 5

Other (please specify in space provided)

Use mulch not sand at the park due to cats - 2

8. What types of community events would you and your family be most interested in attending?

Family Fun Days/Nights - **12**
Farmers markets **- 21**
Live Music or performances **- 20**
Fitness or Wellness **- 7**
Educational or Nature Programs **- 8**
Food Truck Nights **- 20**
Basketball or other sport tournaments **– 2**
Other (please specify in space provided)

9. Are there any areas in the village you feel are underused or could be improved for public use?

No answers given

10. Any other suggestions or comments about how the parks and recreation group can improves our public spaces in our village?

Fix up the bridge area

Remove gazebo and put it at north park with a bench to sit. Put tables next to the post office.

Enlarge the fishing area

Parking area by the fishing area

Camping area

Sitting bench in north part to rest when walking

Pave a walking path around North Park

Tables by the post office to sit and eat – 3

Seating at the volleyball and basketball court

Use products and equipment that are easier to maintain such as stones instead of mulch around the community center and other areas

New sand at the park

Fix existing playground equipment, things are missing or broken.

Splash pad – 2

Fix up tennis court and volleyball area – 3

Pickleball

Rockwall at fishing spot

Keep current areas in town looking more up tp date and maintained better

Takecare of bees at the playground

Keep Park and playground clean and kept up

Upgrade bathroom

Appendix C

Appendix C

NOTICE OF PUBLIC REVIEW, PUBLIC COMMENT PERIOD, AND PUBLIC HEARING

The 2026-2031 Village of Maple Rapids 5 Year Park and Recreation Plan draft is now available for a 30-day public review and comment period. Following this period, the Village of Maple Rapids Parks and Recreation Committee will conduct a public hearing at 7:00 pm on October 27th, 2025 at the Village office 118 W. Adelaid St., Maple Rapids. The purpose of the hearing is to receive final public comments regarding the Recreation Plan. After the hearing, there will be a regularly scheduled Board of Trustees meeting to consider the adoption of the Recreation Plan.

The Recreation Plan draft can be viewed online at Village of Maple Rapids website: www.maplerapids.org Beginning September 26th, during business hours and days, a printed copy will be available for review at the Maple Rapids Library during library hours. Written comments can be submitted to Parks and Recreation Committee, 118 W Adelaide St, PO Box 200, Maple Rapids, MI 48853 or dropped off at the Village Office Drop Box. By October 26, 2025.

****

I certify that this document was posted both online at the Village Website (www.maplerapids.org – NOTICES PAGE AND DOCUMENTS PAGE included with complete 5-year Parks & Recreation Plan) and at various locations around the Village of Maple Rapids including the Village Office and the local post office on September 25, 2025.

MICHIGAN NOTARY ACKNOWLEDGMENT

THE STATE OF MICHIGAN

COUNTY OF Clinton

Melinda K. Thomas

NOTARY PUBLIC SIGNATURE

MELINDA K. THOMAS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires May 28, 2028
Acting in the County of Clinton

DATE: 10/31/2025

PRINTED NAME Melinda K. Thomas

MY COMMISSION EXPIRES: May 28, 2028

Acting in the County of Clinton

31

Appendix D

Village of Maple Rapids
Public Meeting
October 27, 2025

CALLED TO ORDER:

Committee member Amanda Vanetten called the meeting for the public comment and public hearing for the 2026-2031 Village of Maple Rapids 5 Year Park and Recreation Plan at 7:00 p.m.

ROLL CALL:

Committee Members Present: Amanda VanEtten, Zackery Manning-- Council Members
Cheryl Sorah, Tracey Coffin—Village Resident Committee members
Absent: Hiedi Holland—Council Member

BUSINESS: Public comment and public hearing on the 5 Year Plan for Parks and Recreation

There was a discussion about the Steigerwald Memorial Park.
There were no other comments for concerns. The plan will be presented for approval of the Council on
November 5, 2025.

Motion made by Zackery Manning to adjourn public meeting. 2nd by Cheryl Sorah
Motion carried.

Adjourned at 7:05 pm

Submitted by:
Sharon Fitzpatrick
Village Clerk

Appendix E
VILLAGE OF MAPLE RAPIDS
RESOLUTION FOR PARKS AND RECREATION PLAN 2026-2031
RESOLUTION 2025-11-05-2
NOVEMBER 5, 2025

VILLAGE OF MAPLE RAPIDS FIVE-YEAR RECREATION PLAN 2026-2031

At a regular meeting of the Village of Maple Rapids held on Wednesday November 5, 2025 at 7:30 pm.

Present: Holland, VanEtten Manning, Coffin, Esterline and Sorah

Absent: None

The following resolution was offered by VanEtten and seconded by Esterline.

WHEREAS, Village of Maple Rapids has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2026 through 2031, and

WHEREAS, Village of Maple Rapids began the process of developing a community recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the Village of Maple Rapids were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on October 27th, 2025 at the Village of Maple Rapids Village offices to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Village of Maple Rapids Five-Year Recreation Plan 2026-2031, and

WHEREAS, the Village of Maple Rapids Board of Trustees has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for Village of Maple Rapids, and

WHEREAS, after the public hearing, the Village of Maple Rapids Board of Trustees voted to adopt said Village of Maple Rapids Five-Year Recreation Plan 2026-2031.
NOW, THEREFORE BE IT RESOLVED the Village of Maple Rapids Board of Trustees

hereby adopts the Village of Maple Rapids Recreation Plan 2026-2031.

Yeas: ***Holland, VanEtten, Manning, Coffin, Esterline and Sorah***

Nays: ***None***

I, Sharon Fitzpatrick Village of Maple Rapids Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Village of Maple Rapids Board of Trustees at a Regular Meeting thereof held on the 5th day of November 2025.

Sharon Fitzpatrick *SIGNATURE*

Public Hearing Notice

ST. LOUIS PLANNING COMMISSION
ST. LOUIS, GRATIOT COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING
Date: January 14, 2026, Time: 5:30 pm, Location: St. Louis City Hall-300 North Mill Street St. Louis, MI 48880

Please take notice that the St. Louis Planning Commission will hold a public hearing during a regular meeting of the Planning Commission to be held at the St. Louis City Hall, located at 300 North Mill Street on January 14, 2026, at 5:30 in accordance with Act 33 of 2008, MCL 125.3801 *et. seq.* The purpose of this public hearing is to provide an opportunity for residents and interested citizens to express their opinions, ask questions, and discuss all aspects of the proposed Gratiot Countywide Master Plan to be adopted as The City of St. Louis master plan. Written comments may be submitted on or before the date of the public hearing by directing any comments to Jamie Long , 300 North Mill, St. Louis, MI 48880.

You may review a copy of the proposed Gratiot Countywide Master Plan at The City of St. Louis, 300 North Mill, St. Louis, MI 48880. You may also review and download a copy of the proposed Master Plan at: bit.ly/DraftGCMP25 . You may also obtain a copy of the proposed Master Plan by contacting Jamie Long 989-681-2137 Please do not hesitate to contact the phone number above or utilize the Michigan Relay Service at 7-1-1 (TDD) to request accommodations to attend the public hearing at least 72 hours prior to the public hearing.

Respectfully submitted,

St. Louis Planning Commission

Dated: 12/18/2025

Debra A. Sutherland

Clinton County Clerk ~ Register of Deeds

Stephanie Dush, Chief Deputy Clerk/Register of Deeds

County Clerk
Courthouse
100 E. State St., Suite 2600
St. Johns, MI 48879
(989) 224-5140 Fax (989) 227-6421

Register of Deeds
Courthouse
100 E. State St., Suite 2500
St. Johns, MI 48879
(989) 224-5270 Fax (989) 227-6473

DATE: January 6, 2026

TO: Clinton County Planning Commission
Soil Conservation District
Olive Township Clerk

FROM: Debra Cox
Deputy County Clerk

RE: PA116 Farmland Applications
#2026-1 Olive Township/Section 17

Enclosed please find Applications for Farmland Agreements 2026-1 submitted by Gary L. Chant and Kevin L. Bailey. Pursuant to Public Act 116 of 1974, the applications are being provided for your review, comment and recommendation.

Please submit any response to my office, in writing within 30 days. Your response may be submitted via email to coxd@clinton-county.org or via mail to the Clinton County Clerk, 100 E. State St., Suite 2600, St. Johns.

The applications will be presented to the Board of Commissioners at their monthly meeting at the end of February

If you have any questions or concerns, please contact the office.

Thank you.

Michigan Department of Agriculture & Rural Development

FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

Application for Farmland Development Rights Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116. Please print or type. Attach additional sheets as needed. **Refer to the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body:
Date Received 1-6-2026
Application No: 2026-1

State:
Date Received _____
Application No: _____
Approved: _____ **Rejected** _____

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 TO BE EFFECTIVE FOR THE CURRENT TAX YEAR

I. Personal Information:

1. Name(s) of Applicant: Chant (Last) Gary (First) L (Initial)

(If morethan two see #15) BAILEY (Last) KEVIN (First) L (Initial)

2. Mailing Address: 2517 W Jason Rd (Street) DeWitt (City) MI (State) 48820 (Zip Code)

3. Phone Number: (Area Code) (517) 897-5483 (Gary)

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 712-5498

5. E-mail address: tchant660Aol.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Clinton 7. Township, City or Village: Olive

8. Section No. 17 Town No. 6N Range No. 2W

Parcel # (Tax ID): 110-017-100-045-60

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No
If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No
If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No
Indicate who owns or is leasing rights if other than the applicant: _____
Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):
Name: _____
Address: _____ (Street) _____ (City) _____ (State) _____ (Zip Code)

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

_____ Date

_____ Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land		
☐ Corporation	☒ Limited Liability Company	☐ Partnership
☐ Estate	☐ Trust	☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: Gary Chant Title: Member

Name: Ken Barley Title: member

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)
This application is for:

____ a. 40 acres or more ▸complete only Section 16 (a thru g);

__X__ b. 5 acres or more but less than 40 acres ▸ complete only Sections 16 and 17; or

____ c. a specialty farm ▸ complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc): cash crop
b. Total number of acres on this farm: 24.81
c. Total number of acres being applied for (if different than above): _____
d. Acreage in cultivation: 24.81
e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 0
f. All other acres (swamp, woods, etc.) 0
g. Indicate any structures on the property: (If more than one building, indicate the number of buildings): 0

No. of Buildings___Residence:_____ Barn:_____Tool Shed: _____
Silo:_____Grain Storage Facility: _____ Grain Drying Facility: _____

Poultry House:_____Milking Parlor:_____Milk House: _____
Other: (Indicate)_____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of $200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products** (not from rental income):

$ 11,164.50 / 24.81 = $ 450 (per acre)
total income / total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of $2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: $ _____
Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 30

V. Signature(s):

20. The undersigned certifies that this application identifies the owner of record, legal description of property, and all liens, covenants, and other encumbrances affecting the title to the land.

Gary Chant
(Signature of Applicant)

Bailey Chant Farms LLC
(Corporate Name, If Applicable)

Kim Bailey
(Co-owner, If Applicable)

(Signature of Corporate Officer)

(Date)

Gary Chant Member
(Title)

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: 1-6-2026 **(Note: Local Governing Body has 45 days to take action)**

Action by Local Governing Body: Jurisdiction: Clinton

☒ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected **Date of approval or rejection:**_____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature:_____

Property Appraisal: $_____ is the current fair market value of the real property in this application.

Parcel Number (Tax ID):_____

II. Please verify the following:

_____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

_____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

_____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

_____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Preservation Program, P.O. Box 30449, Lansing, MI 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

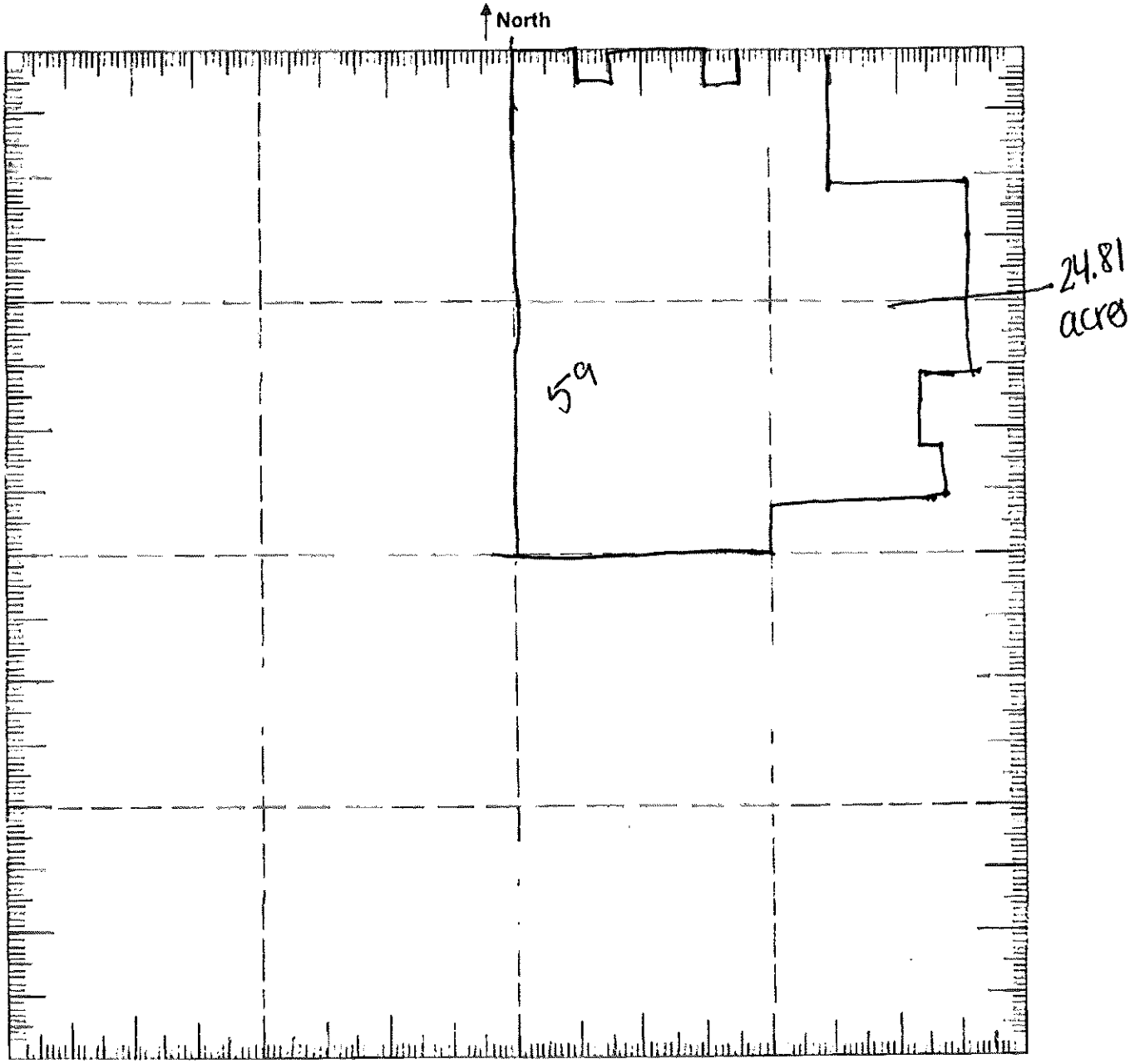
Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):	**Before forwarding to State Agency, FINAL APPLICATION SHOULD INCLUDE:**
COPY SENT TO:	✓ Copy of Deed or Land Contract (most recent showing current ownership)
✓ County or Regional Planning Commission	✓ Copy of most recent Tax Bill (must include tax description of property)
✓ Conservation District	✓ Map of Farm
✓ Township (if county has zoning authority)	___ Copy of most recent appraisal record
	✓ Copy of letters from review agencies (if available)
	✓ Any other applicable documents

Questions? Please call Farmland Preservation at 517-284-5663

Map of Farm with Structures and Natural Features:

A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.
Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County Clinton
Township Olive
T 6N R 2W Section 17



OLIVE TOWNSHIP 2025 Winter Bill #: 20044

MESSAGE TO TAXPAYER

CREDIT CARD (FEE 2.65%), ECHECK (FEE $2.95) PAYMENTS AVAILABLE AT OLIVETOWNSHIPCCMI.GOV

POSTMARK NOT ACCEPTED AS DATE OF PAYMENT.

PLEASE INCLUDE A SELF-ADDRESSED STAMPED ENVELOPE IF A RECEIPT IS REQUESTED.

PAYMENT INFORMATION

PAY BY MAIL OR DROPBOX AT THE OLIVE TOWNSHIP HALL
1400 WEST PRATT ROAD, DEWITT, MI 48820

PAYMENTS ACCEPTED IN-PERSON ON SATURDAY DECEMBER 6 & 20, JANUARY 10 & 24, FEBRUARY 14 FROM 9AM - NOON. ALSO 12/30/25 AND 3/2/26 FROM 9AM - 5PM AT THE OLIVE TOWNSHIP HALL. QUESTIONS? PLEASE EMAIL TREASURER@OLIVETOWNSHIPCCMI.GOV OR CALL/TEXT 989-272-8091
Princ. Residence Exemption Has Reduced Bill By: 2004.37

PROPERTY INFORMATION

Property Assessed To:
BAILEY, KEVIN & CHANT, GARY
4152 W CENTERLINE RD
ST JOHNS, MI 48879

Prop #: 19-110-017-100-045-60 School: 19140
Prop Addr: V/L W JASON RD
QUALIFIED AGRICULTURAL PROPERTY EXEMPTION
Legal Description:

COM AT THE N 1/4 COR SEC 17, T6N R2W, TH E 351.20 FT, TH S 250.00 FT, TH E 200 FT, TH N 250.00 FTTH E 238.80 FT, TH S 165.00 FT, TH E 132.00 FT, TH N 165.00 FT, TH E 399.84 FT, TH S 988.80 FT, TH E 918.11 FT, TH S 544.01 FT, TH W 141.18 FT, TH S 469.49 FT, TH E 148.50 FT, TH S 305.00 FT, TH W 924.90 FT, TH S 330.00 FT, TH N 1320.77 FT, TH N 2642.36 FT TO THE POB. NEW 2015 FROM 110-017-100-045-00 & PART OF 110-017-100-030-51.

BALANCE OF DESCRIPTION ON FILE

As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information please call the County Treasurer (989) 224-5280.

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County:	JAN 1 - DEC 31
Twn/Cty:	APR 1 - MAR 31
School:	JUL 1 - JUN 30
State:	OCT 1 - SEP 30

Does NOT affect when the tax is due or its amount

TAX DETAIL

Taxable Value:	111,354	
State Equalized Value:	356,800	Class: 102
PRE/MBT %:	100.0000	
		Mort Code:

Taxes are based upon Taxable Value.
1 mill equals $1.00 per $1000 of Taxable Value.
Amounts with no millage are either Special Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
E-911	0.83280	92.73
CLINTON TRANSIT	0.69620	77.52
OL TWP ALLOC	0.98760	109.97
BRIGGS LIBRARY	0.73480	81.82
S J SCH DEBT	7.00000	779.47
S J SCH OPER	18.00000	EXEMPT
CL RESA ALLOC	0.19810	22.05
CL RESA SPEC ED	2.60200	289.74
CL RESA VOC ED	0.97130	108.15
Total Tax	32.02280	1,561.45
Administration Fee		15.61
TOTAL AMOUNT DUE		1,577.06
PREV. PAYMENTS		
BALANCE DUE		**1,577.06**

Please detach along perforation. Keep the top portion.

Mort Code

Bill # 20044

PLEASE RETURN THIS PORTION WITH PAYMENT. THANK YOU.

This Tax is due 02/16/2026
After 02/16/2026 additional interest and fees apply

2025 Winter Tax for Prop #: 19-110-017-100-045-60

Pay this tax to:
OLIVE TOWNSHIP TREASURER
1400 WEST PRATT ROAD
DEWITT MI 48820

TAXPAYER NOTE: Is your name & mailing address correct? If not, please make corrections below. Thank You.

Property Addr: V/L W JASON RD

Make Check Payable To: OLIVE TOWNSHIP TREASURER

TOTAL AMOUNT DUE: **1,577.06**

Amount Remitted: _____

To: BAILEY, KEVIN & CHANT, GARY
4152 W CENTERLINE RD
ST JOHNS MI 48879



18700

LIBER 415 PAGE 331

DEED

Notary

'84 AUG 22 PM 3 09

WARRANTY DEED

REGISTER OF DEEDS
CLINTON COUNTY, MICH.

The Grantor(s) JOANNE O' SHAUGHNESSEY, a/k/a JOANNE MCQUEEN whose address is 3330 Lehman Rd., DeWitt, MI 48820

convey(s) and warrant(s) to KEVIN L. BAILEY, a single man and GARY CHANT, a single man as Tenants in Common, whose address is 6952 S. Airport Rd., DeWitt, MI 48820

the following described premises situated in the Township of Olive, County of Clinton and State of Michigan:

110-017-200-005-00
110-017-400-030-00
110-017-100-045-00

The East 1/2 of the Northwest 1/4 of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan.
AND
The Northwest 1/4 of the Southeast 1/4 of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan.
AND
The West 1/2 of the Northeast 1/4 of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan, except the following 2 parcels: (1) That part of the Northwest 1/4 of the Northeast 1/4 of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan, beginning on the Section line at a point 790 feet East of the North 1/4 post, thence East 132.0 feet on the section line, thence Southerly 165.0 feet parallel with the North-South 1/4 line, thence West 132 feet, thence Northerly 165 feet to the point of beginning: (2) Commencing at the North 1/4 corner of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan, thence East 351.20 feet along the North line of said section to the true point of beginning: thence East 200.00 feet, thence South 250.00 feet perpendicular to said North line, thence West 200.00 feet parallel with said North line, thence North 200.00 feet to the point of beginning.

NOTE: Parties of the first part do not warrant any claims arising because of the acts, or failure to act, on part of anyone except themselves and subsequent to July 5, 1979.

NOTE: This deed is given in fulfillment of a certain Land Contract dated July 5, 1979.

for the sum of ONE HUNDRED SEVENTY THOUSAND AND NO/100 ($170,000.00) DOLLARS

subject to easements and building and use restrictions of record and further subject to (NONE).

TREASURER'S OFFICE
St Johns, Mich. Aug 22, 19 84
I hereby certify that there are no tax liens or titles held by the state or any corporation on the lands described in the within instrument and that all taxes which by law are required to be returned to this office have been fully paid for the five years preceding the date of said instrument as shown by the records of this office. This certificate does not apply to the taxes of any now in process of collection by any city or village collecting officers.
Gerald E. Skypeck
County Treasurer E.P.Dep.

REAL ESTATE TRANSFER TAX
STATE OF MICHIGAN
AUG 22 '84
P.A. 1966
187.00

Dated this 21 day of August, 1984.

Signed in presence of:

JANET K. BECKER

BARBARA FOSTER

Signed by:

JOANNE O' SHAUGHNESSEY, a/k/a JOANNE MCQUEEN

STATE OF MICHIGAN
COUNTY OF CLINTON

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21st day of August, 1984 by JoAnne O'Shaughnessey, aka Joanne McQueen.

JANET K. BECKER
Notary Public, Clinton County, MI
My Commission Expires Feb. 11, 1986

Drafted by
John E. Wieber (P28441)
103 E State St
St. Johns, MI 48879

101

State of Michigan - Real Estate Transfer Tax

Clinton Co $118.80-C
05/27/2016 $810.00-S
212895 #107417

RECEIVED
REGISTER OF DEEDS
CLINTON COUNTY, MI
2016 MAY 27 P 1:24

Clinton County Treasurer's Certificate
I HEREBY CERTIFY there are no TAX LIENS or TITLES held by the State or individuals on the lands described within and that all TAXES on same are paid for the FIVE years preceding the date of this instrument as shown by the records in this office except taxes in process of local collection or PRE Denial.

May 27, 2016
Date

Tina Ward, Clinton County Treasurer

5241390
05/27/2016 03:30 PM Page: 1 of 3
Deed (Warranty) Receipt # 107417
Diane Zuker, Clinton Co

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Dale Hitchcock and Sharon Hitchcock, husband and wife
whose address is 7386 Loomis Road DeWitt, MI 48820
Convey(s) and Warrant(s) to Kevin L. Bailey, a married man and Gary L. Chant, a married man as joint tenants with full rights of survivorship
whose address is 4152 W. Centerline Road, St. Johns, MI 48879
the following described premises situated in the Township of Olive, County of Clinton, and State of Michigan to-wit:

SEE ATTACHED EXHIBIT "A"

Commonly known as: v/l Loomis Road, DeWitt, MI 48820
Tax Parcel # 19-110-017-100-045-60 (pt)

for the consideration of: One Hundred Eight Thousand and 00/100 Dollars ($108,000.00)

subject to easement, use, building, and other restrictions of record, if any.

This property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan right to farm act.

The grantor grants to the grantee the right to make ALL division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

Dated: May 26, 2016

Signed and Sealed:

Dale Hitchcock
Dale Hitchcock

Sharon Hitchcock
Sharon Hitchcock

110-017-100-045-60

STATE OF MICHIGAN

COUNTY OF Clinton

The foregoing instrument was acknowledged before me on May 26, 2016, by Dale Hitchcock and Sharon Hitchcock, husband and wife.

Print Name:
Notary County, Michigan
Acting in County
My commission expires:

L. RADEMACHER
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires April 28, 2019
Acting in the County of Clinton

File No. 136433LAN

Drafted by:	Return to:
Dale Hitchcock 7386 Loomis Road DeWitt, MI 48820	Kevin L. Bailey 4152 W. Centerline Road St. Johns, MI 48879
County Treasurer's Certificate	City Treasurer's Certificate

5241390
05/27/2016 03:30 PM
Page: 3 of 3
Deed (Warranty) Receipt #107417
Diane Zuker, Clinton County

Escrow File No.: 136433LAN

EXHIBIT "A"
DEED

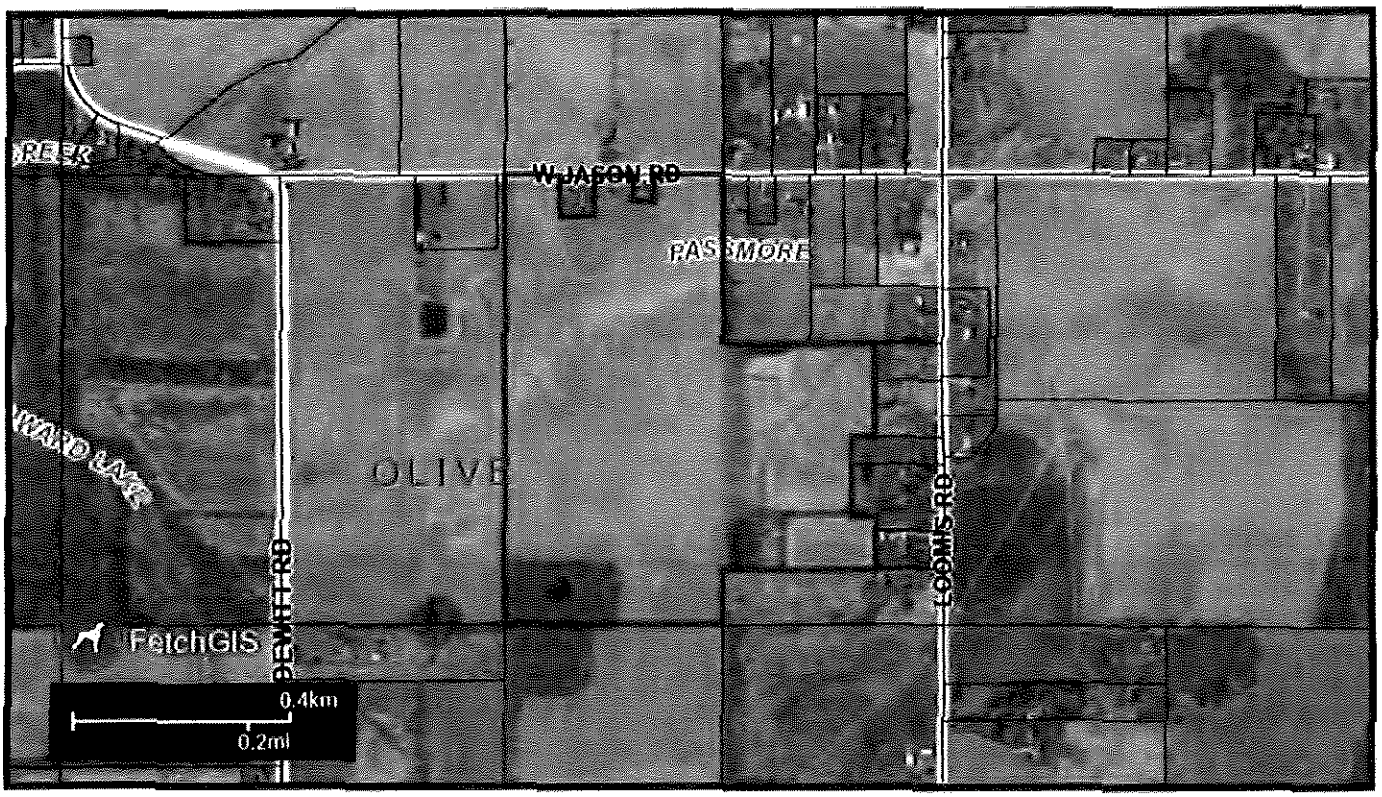
Parcel A:

A parcel of land in the Northeast 1/4 of Section 17, Town 6 North, Range 2 West, Olive Township, Clinton County, Michigan, described as follows: To fix the point of beginning commence at the East 1/4 corner of said Section 17; thence North 00 degrees 02 minutes 20 seconds East on the East line of said Section 330.00 feet; thence South 89 degrees 55 minutes 31 seconds West, parallel with the East and West 1/4 line of said Section 396.00 feet to the point of beginning; thence continuing South 89 degrees 55 minutes 31 seconds West, parallel with said East and West 1/4 line 924.90 feet to the East 1/8 line of said Section; thence North 00 degrees 00 minutes 56 seconds East on said East 1/8 line 1320.99 feet (previously recorded as 1317.2 feet); thence South 89 degrees 57 minutes 47 seconds East, parallel with the North line of said Section 918.11 feet (previously recorded as 888.2 feet); thence South 00 degrees 02 minutes 20 seconds West, parallel with said East Section line 544.01 feet (previously recorded as 540 feet); thence South 89 degrees 38 minutes 30 seconds West 141.18 feet; thence South 00 degrees 02 minutes 20 seconds West, parallel with said East Section line 469.49 feet; thence North 89 degrees 55 minutes 31 seconds East, parallel with said East and West 1/4 line 148.50 feet; thence South 00 degrees 02 minutes 20 seconds West, parallel with said East Section line 305.00 feet to the point of beginning.

Clinton County GIS

Parcel Report: 110-017-100-045-60

1/6/2026
8:12:35 AM



Property Address

V/L W JASON RD
DEWITT, MI, 48820

Owner Address

BAILEY, KEVIN & CHANT, GARY
–
4152 W CENTERLINE RD
ST JOHNS, MI 48879

Unit: 110
Unit Name: OLIVE TOWNSHIP

General Information for 2025 Tax Year

Parcel Number:	110-017-100-045-60	**Assessed Value:**	$356,800
Property Class:	102	**Taxable Value:**	$111,354
Class Name:	AGRICULTURAL VACANT	**State Equalized Value:**	$356,800
School Dist Code:	19140		
School Dist Name:	ST JOHNS PUBLIC SCHOOLS		

PRE 2024:	100%
PRE 2025:	100%

Prev Year Info	MBOR Assessed	Final SEV	Final Taxable
2024	$274,800	$274,800	$108,006
2023	$273,900	$273,900	$102,863

Land Information

Acreage:	104.81
Zoning:	A2

Tax Description

COM AT THE N 1/4 COR SEC 17, T6N R2W, TH E 351.20 FT, TH S 250.00 FT, TH E 200 FT, TH N 250.00 FTTH E 238.80 FT, TH S 165.00 FT, TH E 132.00 FT, TH N 165.00 FT, TH E 399.84 FT, TH S 988.80 FT, TH E 918.11 FT, TH S 544.01 FT, TH W 141.18 FT, TH S 469.49 FT, TH E 148.50 FT, TH S 305.00 FT, TH W 924.90 FT, TH S 330.00 FT, TH W 1320.77 FT, TH N 2642.36 FT TO THE POB. NEW 2015 FROM 110-017-100-045-00 & PART OF 110-017-100-030-51.

Sales Information

No Records Found

Tax History *Total Due as of settlement date

Tax Details 2024 Winter

School Dist. Code:	19140	**Assessed Value:**	$274,800
School Dist. Name:	ST JOHNS PUBLIC SCHOOLS	**Taxable Value:**	$108,006
Property Class:	102	**State Equalized Value:**	$274,800
Class Name:	AGRICULTURAL VACANT	**Exemption Percent:**	100%
Last Payment Date:			
Base Tax:	$1,535.47	**Base Paid:**	$0.00
Admin Fees:	$15.11	**Admin Fees Paid:**	$0.00
Interest Fees:	$0.00	**Interest Fees Paid:**	$0
Total Tax & Fees:	$1,550.58	**Total Paid:**	$0.00

Tax Items 2024 Winter

Tax Source	Millage Rate	Tax Amt.	Base Amt. Paid
E-911	0.8364	90.33	$0.00
CLINTON TRANSIT	0.6899	74.51	$0.00
OL TWP ALLOC	0.9911	107.04	$0.00

BRIGGS LIBRARY	0.7383	79.74	$0.00
S J SCH DEBT	7	756.04	$0.00
S J SCH OPER	18	0.00	$0.00
CL RESA ALLOC	0.1993	21.52	$0.00
CL RESA SPEC ED	2.564	276.92	$0.00
CL RESA VOC ED	0.9769	105.51	$0.00
S J SCH OPER FC	18	0.00	$0.00
ALWARD LAKE DRAI	0	23.86	$0.00

Tax Details 2024 Summer

School Dist. Code:	19140	**Assessed Value:**	$274,800
School Dist. Name:	ST JOHNS PUBLIC SCHOOLS	**Taxable Value:**	$108,006
Property Class:	102	**State Equalized Value:**	$274,800
Class Name:	AGRICULTURAL VACANT	**Exemption Percent:**	100%
Last Payment Date:	September 16, 2024		
Base Tax:	$1,273.01	**Base Paid:**	$1,273.01
Admin Fees:	$12.73	**Admin Fees Paid:**	$12.73
Interest Fees:	$0.00	**Interest Fees Paid:**	$0
Total Tax & Fees:	$1,285.74	**Total Paid:**	$1,285.74

Tax Items 2024 Summer

Tax Source	Millage Rate	Tax Amt.	Base Amt. Paid
STATE EDUC TAX	6	648.03	$648.03
CLINTON COUNTY	5.7866	624.98	$624.98

Tax Details 2023 Winter

School Dist. Code:	19140	**Assessed Value:**	$273,900
School Dist. Name:	ST JOHNS PUBLIC SCHOOLS	**Taxable Value:**	$102,863
Property Class:	102	**State Equalized Value:**	$273,900
Class Name:	AGRICULTURAL VACANT	**Exemption Percent:**	100%
Last Payment Date:	February 14, 2024		
Base Tax:	$1,618.27	**Base Paid:**	$1,618.27
Admin Fees:	$14.50	**Admin Fees Paid:**	$14.50
Interest Fees:	$0.00	**Interest Fees Paid:**	$0
Total Tax & Fees:	$1,632.77	**Total Paid:**	$1,632.77

Tax Items 2023 Winter

Tax Source	Millage Rate	Tax Amt.	Base Amt. Paid
CLINTON COUNTY	0.0811	8.34	$8.34
E-911	0.8384	86.24	$86.24

CLINTON TRANSIT	0.6924	71.22	$71.22
OL TWP ALLOC	1	102.86	$102.86
BRIGGS LIBRARY	0.7401	76.12	$76.12
S J SCH DEBT	7	720.04	$720.04
S J SCH OPER	18	0.00	$0.00
CL RESA ALLOC	0.2	20.57	$20.57
CL RESA SPEC ED	2.5733	264.69	$264.69
CL RESA VOC ED	0.9804	100.84	$100.84
S J SCH OPER FC	18	0.00	$0.00
STONY CREEK DRAI	0	167.35	$167.35

Tax Details 2023 Summer

School Dist. Code:	19140	**Assessed Value:**	$273,900
School Dist. Name:	ST JOHNS PUBLIC SCHOOLS	**Taxable Value:**	$102,863
Property Class:	102	**State Equalized Value:**	$273,900
Class Name:	AGRICULTURAL VACANT	**Exemption Percent:**	100%
Last Payment Date:	September 14, 2023		
Base Tax:	$1,205.43	**Base Paid:**	$1,205.43
Admin Fees:	$12.05	**Admin Fees Paid:**	$12.05
Interest Fees:	$0.00	**Interest Fees Paid:**	$0
Total Tax & Fees:	$1,217.48	**Total Paid:**	$1,217.48

Tax Items 2023 Summer

Tax Source	Millage Rate	Tax Amt.	Base Amt. Paid
STATE EDUC TAX	6	617.17	$617.17
CLINTON COUNTY	5.7189	588.26	$588.26

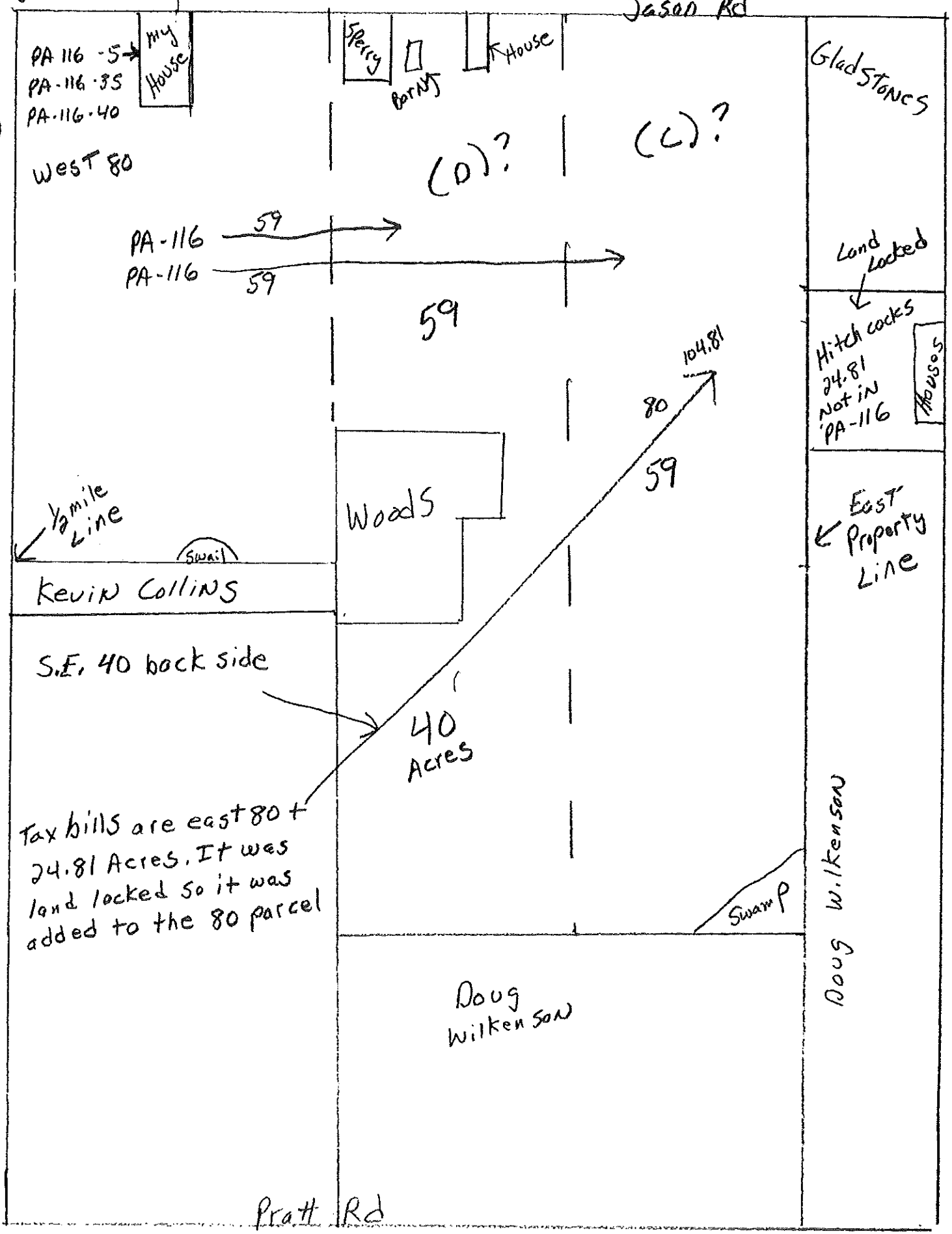
Application Use:

This map is neither a legally recorded map nor a survey and is not intended to be used as such. The information on Clinton County websites, are distributed and transmitted 'as is' without warranties of any kind, either expressed or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. Clinton County does not guarantee the accuracy, timeliness, or completeness of the information on this website.

GIS/Mapping:

The Geographic Information System (GIS) made available through this website is developed and maintained by Clinton County. Use of materials and information constitutes acceptance of all disclaimers associated with these websites. GIS data is not the official record of the County. This data is made available for information purposes only!

More land on tax legals then is in the PA-116 program
They need to add 24.81 acres to the PA 116 program



Gary Chant

2517 W. Jason Rd.

Dewitt, MI 48820

517-897-5483

Kevin Bailey

4152 W. Centerline Rd.

St. Johns, MI 48879

517-712-2953

January 6, 2026

We would like to attach the 24.81 acres that was purchased in 2015 and combined with Property number. 19-110-017-100-045-60
PA 116 Agreement Number 19-27768C-123130

Please see attached application.
If you have any questions, please contact us at the number above.

Sincerely,

Gary Chant

Kevin Bailey

WATERTOWN CHARTER TOWNSHIP

12803 S. Wacousta Rd., Grand Ledge, MI 48837
517-626-6593
www.watertownmi.gov

M E M O R A N D U M

TO: Clinton County Planning Commission

FROM: Carolyn Brokob, Watertown Charter Township Clerk

DATE: January 13, 2026

SUBJECT: Proposed Zoning Amendment – Commercial Solar Energy Systems

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At the regular meeting of the Watertown Charter Township Planning Commission on January 13, 2026, a public hearing was held to consider a proposed amendment to the Zoning Ordinance. The effect of this ordinance is to clarify special land use specific regulations for solar energy systems. A copy of the proposed amendment has been attached for your review.

If you have any questions or comments regarding the proposed Zoning Ordinance amendments, please forward those comments to the Watertown Charter Township Planning and Zoning office and township clerk (clerk@watertownmi.gov) within the next 30 days (February 13, 2026).

This memorandum is intended to serve as Watertown Charter Township's transmission of proposed Zoning Ordinance amendments to the Clinton County Planning Commission as required by state law.

CHARTER TOWNSHIP OF WATERTOWN
CLINTON COUNTY, MICHIGAN

Ordinance No. 62

AN ORDINANCE AMENDMENT TO CLARIFY REGULATIONS FOR COMMERCIAL SOLAR ENERGY SYSTEMS.

THE CHARTER TOWNSHIP OF WATERTOWN ORDAINS:

Article 3, Sec. 28-3.1.12. – Special Land Uses (LI – Light Industrial District) are hereby amended to add the use "solar energy systems;" Sec. 28-3.10 – B-1, B-2, and LI District Regulations is hereby amended to exempt accessory use solar energy systems in the LI zoning district from the requirement to be contained in a fully enclosed building and Article 4, Section 28-4.65 – Solar energy systems is hereby amended to clarify special land use specific regulations for solar energy systems. The aforementioned amendments are to Chapter 28 of the Code of Ordinances, Charter Township of Watertown, Clinton County, Michigan.

SEC. 28-3.1.12.C. SPECIAL LAND USES (LI LIGHT INDUSTRIAL DISTRICT)

i. Truck and freight terminals, and maintenance facilities
ii. Junkyards and salvage yards
iii. Sanitary and hazardous waste landfills
iv. Removal and processing of soil, sand, gravel, or other mineral resources
v. Tool and die
vi. Vehicle service stations
vii. Industrial plants, manufacturing of fabricated products
viii. Body shops and wrecker services, including storage yards
ix. Vehicle repair
x. Adult uses
xi. Open air businesses
xii. Assembly buildings
xiii. Towers in excess of 50 feet
xiv. SOLAR ENERGY SYSTEMS AS AN ACCESSORY USE ONLY

SEC. 28-3.10 B-1, B-2, AND LI DISTRICT REGULATIONS

1. In the B-1, B-2, and LI districts the following shall apply:

A. No uses, activities, or parking or loading areas, within the first 25 feet of the required front yard, except for entry and exit driveways, shall be located within the required front yard. The front yard shall be landscaped.
B. For side and rear yard setback areas, see Section 28-5.23 for buffer zone requirements.
C. Parking lots shall be adequately lit to ensure security and safety and shall meet the following requirements:

i. Light fixtures shall be no higher than 20 feet and shall be provided with full cut-off luminaries that direct light downward.
ii. For parking lots serving a single building or groups of related commercial or office buildings in excess of 200 spaces, the Planning Commission may permit a higher light fixture in selected locations within the parking lot where existing or planned residential areas will not be affected.
iii. Lighting shall not be permitted to illuminate areas not within the parking lot or other areas related to the use for which the parking is intended.

2. All development proposed in these districts shall be required to be serviced by a public water supply and sanitary sewer system. ~~except for principal use solar energy systems in the li light industrial district where permitted~~. In the LI district the following shall apply:
A. All permitted and special land uses, EXCEPT FOR ACCESSORY USE SOLAR ENERGY SYSTEMS AND TOWERS IN EXCESS OF 50 FEET, shall be conducted wholly within a completely
enclosed building, except that outside storage of materials, equipment, or vehicles and loading and unloading operations are permitted, subject to the following:
i. Materials may be stored only in the side or rear yards, except that materials may not be stored on the street side of a corner lot or in any required yard.
ii. Loading areas, loading docks, and truck storage areas shall not face an AG, RR, R-1, R-2 or R-3 zoned district, except where the following conditions exist:
a. The distance from the loading area, loading dock, or truck storage area is more than 300 feet to AG, RR, R-1, R-2, or R-3 property line, which shall be measured parallel with the property line and from the nearest edge of the loading area, loading dock or truck storage area.
iii. All storage of materials shall be visually screened to a height of at least six feet above the highest elevation of the nearest adjacent road or property bordering the site.
iv. In no case shall the outside storage of materials be stacked higher than the height of the visual screen.

v. One non-gated opening, no greater than 12 feet in width, shall be permitted in the screen for each 200 feet of public street frontage.

SEC. 28-4.65 SOLAR ENERGY SYSTEMS

1. Purpose and objectives. It is the intent of this section to regulate the safe, effective, and efficient use of solar energy systems in order to reduce or replace the consumption of electricity supplied by utility companies, subject to reasonable conditions intended to protect the public health, safety, and welfare.

2. SOLAR ENERGY SYSTEMS IN THE LI LIGHT INDUSTRIAL DISTRICT ARE PERMITTED BY SPECIAL LAND USE ONLY AS AN ACCESSORY USE TO A PRINCIPAL PERMITTED OR SPECIAL LAND USE WHICH PRINCIPAL USE CONSISTS OF A BUILDING NOT LESS THAN 20,000 SQUARE FEET THAT IS CONNECTED TO A PUBLIC WATER SUPPLY AND SANITARY SEWER SYSTEM. PANELS OF SOLAR ENERGY SYSTEMS, AS AN ACCESSORY USE, MAY ONLY BE PLACED ON THE ROOFS AND PARKING LOTS OF THE PRINCIPAL USE AND UP TO 20% OF ANY OTHERWISE UNUSED LAND. EXCESS ENERGY BEYOND THAT NEEDED FOR THE PRINCIPAL USE CREATED BY SUCH SYSTEMS MAY BE DIVERTED OFF SITE.

3. Site development requirements. In accordance with section 28.6.1.2., all applications for a special land use shall be accompanied by an application for final site plan review.

A. Zoning districts. All solar energy systems are subject to sec. 28-6.2, special land uses.

B. Minimum lot size. There is no minimum lot size. Solar energy systems are permitted by special land use permit, the process by which reviews and considers its compatibility with the surrounding area.

C. Height restrictions. All solar energy system components, including photovoltaic panels or other collection device(s) oriented at maximum tilt, support structures, and buildings shall not exceed 16 feet, except when placed on rooftops or over parking lots. Substation and electrical equipment are permitted at their usual and customary heights and are excluded from this maximum height requirement. Substation and electrical equipment must comply with all local, state and federal requirements, including but not limited to the Michigan Tall Structures Act and Federal Aviation Administration requirements, as applicable.

D. Setbacks.

1.) In the AG-Agricultural district, all solar energy systems components, excluding perimeter fencing, shall meet a minimum setback of 50 feet.
2.) In the LI-Light Industrial district, all solar energy systems, ~~whether principal or accessory uses,~~ shall meet the minimum setback requirements for the zoning district.
3.) All solar energy systems components, including perimeter fencing, shall be setback at least to the limit of any established county drain right-of-way or easement.

E. Maximum lot coverage. Solar energy systems are exempt from maximum lot coverage requirements. Any other regulated structures on the parcel are subject to the maximum lot coverage requirements for the zoning district.

F. Safety and access. All solar energy systems shall be completely enclosed by a perimeter security fence to restrict unauthorized access. The height and material of the fence shall be reviewed for appropriateness and compatibility during the special land use process. A lock box approved by the fire department serving the township shall be required.

G. Glare. All solar panels shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or roadways at any time of day.

1. Airports. Solar energy systems may create a glare hazard for pilots. Applicants for solar energy systems shall comply with any Federal Aviation Administration siting requirements.

H. Landscaping.
All solar energy systems applications shall be accompanied by a landscaping plan prepared by a licensed landscape architect. When a major buffer zone as described in sec. 28-5.23.2.g is required as set forth below, the buffer zone shall contain exclusively evergreen trees at least six feet in height at the time of planting. Canopy trees are permitted only in addition to the minimum planting requirements. All trees shall remain in good condition during the life of the solar energy system.

1.) When the proposed solar energy system abuts a residential district or use, the landscaping plan shall meet the requirements of a major buffer zone as described in Sec. 28-5.23.2.g.
2.) For ~~principal or accessory~~ solar energy uses in the LI-Light Industrial zone, a major buffer shall only be required on any side abutting a residential zone or use.
3.) Sec. 28-5.23.~~1.2~~d shall not apply to any ~~principal or accessory~~ solar energy system use in the LI-Light Industrial zoning district. The minimum buffer requirements shall apply if a public road or street separates the zoning districts.
4.) The proposed landscape plan shall also include a revegetation plan for the installation and maintenance of the vegetative cover on the entire site. The

planting shall control site soil erosion and must be maintained throughout the life of the solar energy system. The primary purpose is control of erosion and maintenance of soil quality. The plan shall include the plant species and the rate of application or planting. Grazing, cropping and wildlife habitat are acceptable secondary uses in the AG-Agricultural district. Use of native plants is strongly encouraged. Invasive species listed by the Michigan Department of Environment, Great Lakes and Energy as restricted or that are on the watch list are prohibited. The plan shall address seedbed preparation, fertilization, mulching, and irrigation, if needed. The plan shall include maintenance schedules and methods (mowing, replanting, etc.). The site is subject to annual inspection including for maintenance of the vegetative cover and control of erosion.

I. Signage. No signage or graphics shall be on any part of the solar energy systems components or the perimeter fencing. This exclusion does not apply to the entrance gate(s) signage which shall be placed on the gate in a visible area and not exceed six square feet in size. Gate signage shall be weather-durable and include the name of the owner/operator, a phone number, and contact person for whom additional information may be obtained. Any required emergency information signage shall be permitted.

J. Lighting. Solar energy systems shall comply with Sec. 28-5.18 Outdoor lighting.

K. Transportation plan. The applicant shall provide a proposed access plan during construction and operational phases. This shall show proposed project service road ingress/egress locations on to adjacent roadways and the layout of the facility service road system. Due to infrequent access following construction, it is not required to pave or curb solar panel access drives, but they should be constructed so as to minimize dust conditions.

L. Distribution, transmission, and interconnection. All electrical interconnections or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements. All collection lines and interconnections from the solar array(s) to any electrical substations shall be located and maintained underground inside the solar energy system facility. This requirement shall exclude transmission equipment meant to connect the project substation to the local transmission system.

M. Environmental and safety impacts.

1. An environmental impact statement/study shall be provided at the time of application and shall include, but not be limited to, a review of the following factors:

i. Water quality and supply.
ii. Air quality.
iii. Wildlife.
iv. Floodplains and wetlands.
v. Identification of solid and/or hazardous waste generated.
vi. Any other environmental factors typically evaluated for the proposed use or as requested.

2. A public safety impact statement/study shall be provided at the time of application and shall include, but not be limited to, a review of the following factors:

i. Identification of emergency and normal shutdown procedures.
ii. Identify potential hazards to adjacent properties, public roadways and to the general public that may be created.
iii. Identify potential hazards to aviation and indicate how state and federal requirements will be met.

N. Abandonment and decommissioning. A solar energy system shall be decommissioned following the useful life or at which time it remains non-operational for six months and is considered abandoned. The applicant shall submit a decommissioning plan, prepared by a licensed professional engineer, at the time of application for a special land use permit. The decommissioning plan shall include, but not be limited to the following:

1. Steps to remove the system
2. Steps to dispose of or recycle system components
3. Restoration of land
4. Estimated cost schedule to meet the following requirements:

i. Removal of all equipment, conduit, structures, fencing, roads, building foundations, including any equipment or materials below grade, offsite for disposal.
ii. Restoration of ground to original condition.
iii. Revegetation of site to blend with existing surrounding vegetation within six months of decommissioning.
iv. For agricultural lands, restoration of soils to their original USDA classification, as confirmed by a soil survey conducted in accordance with the standards of the national cooperative soil survey.

O. Financial guarantees. To ensure proper removal of the project upon decommissioning or abandonment of the solar energy system, the applicant shall include a description of the financial security guaranteeing the removal of the system which shall be posted with the township within 15 days after the project is approved or

prior to issuance of a building permit for the project. The financial guarantee shall be in the form of a cash bond or an irrevocable bank letter of credit or a performance bond, in a form approved by the township board. The amount shall be reasonably sufficient to restore the property to its previous condition as agreed upon by the township board and the applicant. The amount may include a provision for inflationary cost adjustments. The estimate shall be prepared by the engineer for the applicant and shall be subject to approval by the township BOARD, with guidance from the township's engineer. The financial guarantee shall be returned when all conditions of the special land use permit and the decommissioning/abandonment plan have been completed. There shall be no partial release of the financial guarantee. The financial guarantee shall be kept in full force and effect during the entire time the solar energy system exists or is in place, and it shall be irrevocable and non-cancelable.

DRAFT

Planning Commission
Gratiot County Department of Community Development
214 E Center St., Ithaca, MI 48847
Phone (989) 875-5201

To: Entity Requiring Notification Per MCL Act 33 of 2008
From: Gratiot County Community Development
Date: January 8th, 2026
Re: Notice of Gratiot County Planning Commission Public Hearing

To Whom It May Concern,

This letter is to inform you that a the Gratiot County Planning Commission, whom holds Zoning authority of Elba Township, Hamilton Township, Lafayette Township, Newark Township, North Star Township, and Sumner Township, will hold a Public Hearing at their regularly scheduled meeting Wednesday, February 4th, 2026 at 5:00pm in the Board of Commissioner's Room Level 1 of Gratiot County Courthouse 214 E. Center Rd., Ithaca, MI 48847 in accordance with Act 33 of 2008, MCL 125.3801 et. seq.

The purpose of the public hearing is to provide an opportunity for residents and interested citizens and entities to express their opinions, ask questions, and discuss all aspects of the proposed Gratiot Countywide Master Plan to be adopted as Elba Township, Hamilton Township, Lafayette Township, Newark Township, North Star Township, and Sumner Township's master plan. Written comments may be submitted on or before the date of the public hearing by directing any comments to Diandra Messer at 989-875-5201 or dmesser@gratiotmi.com.

You may review a copy of the proposed Gratiot Countywide Master Plan at Gratiot County Courthouse 214 E. Center St. Ithaca, MI 48847. You may also review and download a copy of the proposed Master Plan at: bit.ly/DraftGCMP25. If you have any questions, please let us know!

Thank you,

William Leonard
Zoning Administrator
Department of Community Development
Gratiot County

Notice of Distribution of Gratiot Countywide Master Plan
(remaining units)

Date: February 4, 2026

To: Neighboring jurisdictions' planning commissions; Gratiot County Planning Commission; East Michigan Council of Governments; public utility companies; railroad companies; public transportation agencies; school boards; downtown development authorities; Gratiot County Road Commission; Michigan Department of Transportation; or other entities with an interest in Gratiot County.

From: Greater Gratiot Development, Inc. (administrator of the Gratiot Countywide Master Plan, on behalf of the Planning Commissions and Legislative Bodies of the following: the Villages of Ashley and Perrinton, the Townships of Bethany, Elba, Emerson, Fulton, Hamilton, Lafayette, Newark, New Haven, North Star, Seville, Sumner, Washington, and Wheeler)

This notice is to inform you a draft of the Gratiot Countywide Master Plan is officially being distributed and the 63-day public review period will begin on February 9, 2026.

In accordance with Section 41 of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3841(2)(e), a copy of the proposed Gratiot Countywide Master Plan is being distributed to your organization as required in MCL 125.3841(2)(e). The Draft Gratiot Countywide Master Plan is available free of charge on: https://gogrowgratiot.org/

Note: This is the same plan you received previous notification for on behalf of Gratiot County, City of Alma, City of St. Louis, Village of Breckenridge, Arcada Township, North Shade Township, and Pine River Township. This notice is for the balance of municipal units within Gratiot County.

If you would like a physical copy of the document, please contact Greater Gratiot Development, Inc. at info@gratiot.org or (989) 875-2083.

Comments can be submitted in digital format to info@gratiot.org or in writing to 136 S. Main St., Ithaca, MI 48847.

Sincerely,

Kasey Zehner, Greater Gratiot Development, Inc. (administrator of the Gratiot Countywide Master Plan)

On behalf of the Planning Commissions of the Villages of Ashley and Perrinton, the Townships of Bethany, Elba, Emerson, Fulton, Hamilton, Lafayette, Newark, New Haven, North Star, Seville, Sumner, Washington, and Wheeler.

Under MCL 125.3841(2)(f), each public utility company and railroad company owning or operating a public utility or railroad 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, shall reimburse the Gratiot Countywide Steering Committee for any copying and postage costs incurred in receiving a hard copy of the Countywide Master Plan or final Countywide Master Plan to be adopted.

Scott Dzurka
Mayor

Brad Gurski
Vice Mayor

Eric Hufnagel
Commissioner

Chris Hyzer
Commissioner

Chris DeLiso
Commissioner

THE CITY OF ST. JOHNS

Chad A. Gamble, P.E.
City Manager

Mindy J. Seavey
City Clerk

Kristina Kinde
City Treasurer

Michael Homier
City Attorney

Justin Smith
Director of Public Services

December 29,2025

Clinton County Planning Commission
100 East State Street
St. Johns, MI 48879

Dear Sir or Madam:

Enclosed you will find a copy of the “City of St. Johns Five Year Parks and Recreation Plan, 2026-2030" for your files. The plan was adopted by the City of St. Johns City Commission on January 11, 2021. The plan has been submitted to the Michigan Department of Natural Resources for their final approval.

If you have any questions regarding this letter, please contact my office at (989) 224-8944 ext. 227.

Sincerely,

William Schafer
Parks and Recreation Director
bschafer@stjohnsmi.gov
City of St. Johns
100 E. State Street Suite 1100
P.O. Box 477
St Johns, MI 48879

CITY OF ST. JOHNS

Parks & Recreation

5-Year Master Plan







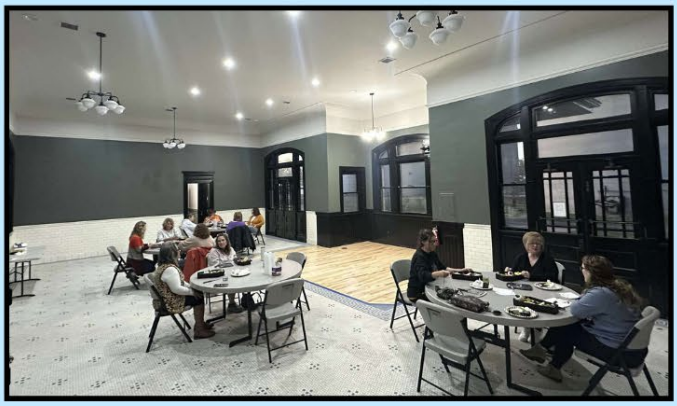








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INTRODUCTION

The City of St. Johns is a tight-knit community that is invested in and proud of its park system. The Parks and Recreation Board has worked with the community to assess need and to develop a plan of action for the next five years. This plan supports the goals of the Michigan DNR and is built around the guidelines of the City of St. Johns Parks and Recreation Mission Statement:

"Promote a broad, year-round range of quality indoor and outdoor recreational opportunities to City residents of all ages and physical and mental abilities and encourage inter-generational participation in activities."

The City of St. Johns Parks and Recreation Board has provided multiple opportunities for the public to participate in the development of this plan and feel that this plan will address current and future parks and recreation needs of the community, given the fiscal limitations of the city. The City of St. Johns Parks and Recreation Master Plan was prepared based on the guidelines set forth by the Michigan Department of Natural Resources Recreation Division. This document provides the information necessary to help the city visualize its short-term and long-term parks and recreation goals.

This plan has been realized through a comprehensive planning process that addresses the parks and recreation needs of the City of St. Johns and the greater community, and in addition establishes priorities for recreation development.

The City of St. Johns Parks and Recreation Board is proud of the work they have accomplished alongside the community with regards to facility improvements and programs. Since 2010, the following improvements have been made to the facilities within the city, either with City tax dollars, grants, or donated material, labor, or money.

- Fantasy Forest Playground Rebuild – Main City Park
- Sand Volleyball Court Renovation– Main City Park
- Jeep Track – Main City Park
- Pavilion Improvement – Main City Park
- Tennis/Basketball Court Addition – Main City Park
- Fall Zone Improvements – All Parks with Playgrounds
- Street Lighting Installation – Main City Park
- City Park Roads – Main City Park
- Rotary Gazebo – Rotary Park
- Farmers Market Pavilion – Rotary Park
- Water Spray Park – City Park
- Spray Park Recirculation System – City Park
- Softball Dugouts – City Park
- Disc Golf Course Renovation and additional 9 holes – City Park
- New Bathrooms – St. Johns Depot
- Scott Road Connector Trail
- Land acquired for a trailhead park at Fred Meijer Clinton-Ionia-Shiawassee Trail

Since 2010, the offerings for recreational activity have also increased. The city has increased from offering approximately 20 programs annually to over 59 programs annually.

COMMUNITY DESCRIPTION

When beginning the planning process, it is important to first examine the population characteristics of a community. The characteristics and trends of a community provide important indicators as to what future recreational needs should be and how planning will accommodate. These factors include a variety of social and physical

factors. Examinations of these characteristics and trends provide a firm rationale upon which future recreation decisions can be based. This plan is prepared for the City of St Johns and will focus on all aspects of the city's parks and programs offered by the parks and recreation department.

Location

The City of St. Johns serves as the county seat for Clinton County, Michigan. It is located approximately eighteen miles north of Lansing. Its location and main thoroughfares, M–21 and US–27, allow St. Johns to be a hub to central Michigan. The total population within the City of St. Johns is 7,723 (2024), but the parks serve the Clinton County population of 80,050. (2024 Census)

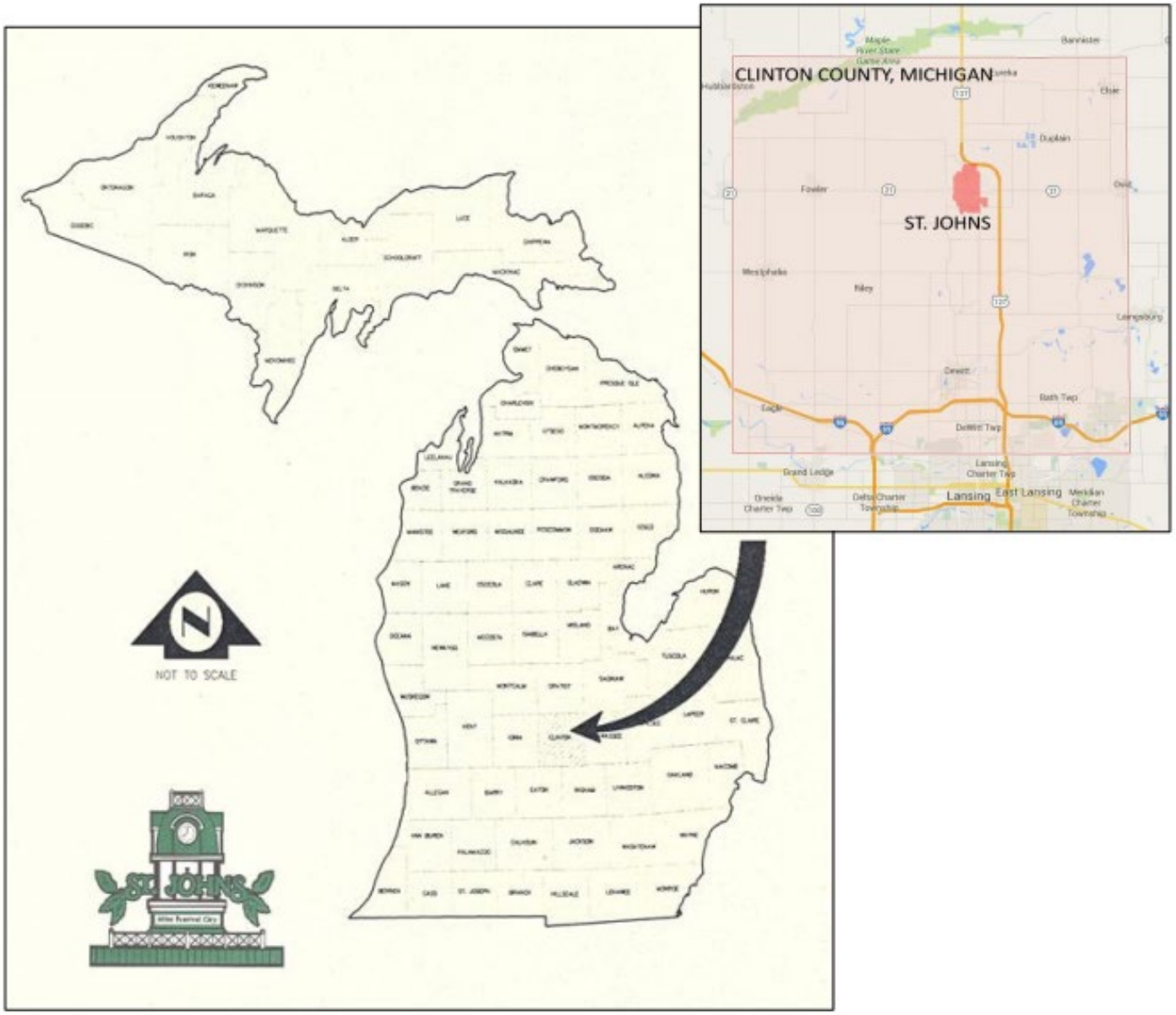


Figure 1: City of St. Johns Location

Population Age

Figure 2 displays the age classifications, in five-year increments, of area residents. The median age for the City is 43.5. The greatest percentage (60%) of the City of St. Johns population is under the age of 45. The distribution of the City of St. Johns population is more representative of an obelisk, than the typical pyramid with the young at the bottom. This depiction related that the age cohorts remained high and equal, until age 45. At that point, the percentage of people in each age classification begins to taper off. This equates to a relatively high demand for family-oriented recreation. Over the next 20 years, the City of St. Johns is likely to experience a shift in demand with an increasing need for senior recreation activities. Currently, the board has recognized a lack of recreation opportunities for the teenage demographic and the senior citizen demographic.

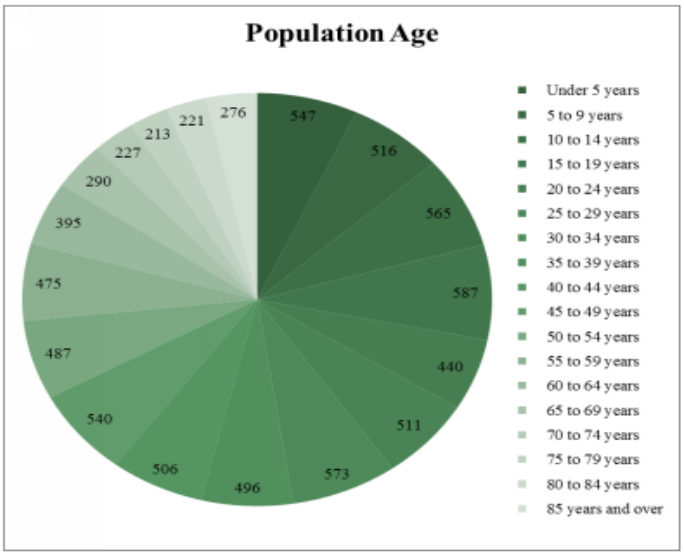


Figure 2: City of St. Johns Population and Age

Senior Citizens

21.7% of St. Johns residents are 65 years or older, leading to a relatively high demand for senior citizen activities and programs. Currently, senior citizen recreation programs are limited, and the citizens are looking to expand these programs in the future. Many aspects of the city parks are accessible to seniors, and popular events like concerts in the park help fill recreational needs of this demographic.

Disability

It is the goal of the City of St. Johns to design future projects with the full range of human abilities in mind. The total percentage of citizens classified as disabled in St. Johns is 27.7%, slightly higher than the US average of 24.2%. In any case, design that incorporates accessible features into recreation opportunities is preferable. Figure 3 compares the age distribution of disabled individuals in St. Johns vs. the United States. It is shown that St. Johns has almost double the average distribution of 5-17-year-olds with disabilities. It becomes especially critical to provide opportunities for

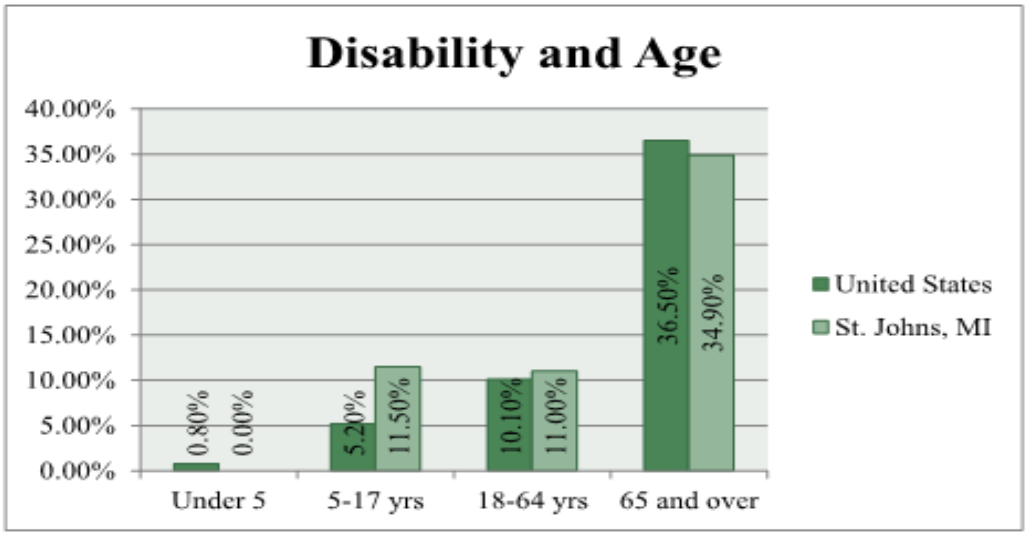


Figure 3: Disability and Age

this demographic in any future design project. The highest percentage of disabled individuals are 65 and over, consistent with the US average.

Figure 4, below, shows an estimate from the US Census exploring the distribution of different types of disability in the City of St. Johns as compared to the US. The largest group in both the City of St. Johns and the US are those with ambulatory disability, making the ease of navigating city parks a high priority. Whether this ambulatory disability requires a wheelchair or careful and easy foot placement, the circulation systems within the parks should be evaluated and streamlined wherever possible. Creative recreation opportunities should be developed to involve all disabled individuals. The percentage of individuals with cognitive disabilities is significantly higher in the City of St. Johns than the US (26.7% and 17.4%, respectively). The city may choose to apply special focus on additional improvements and developments in a way that facilitates use by those with differing mental and physical capabilities.

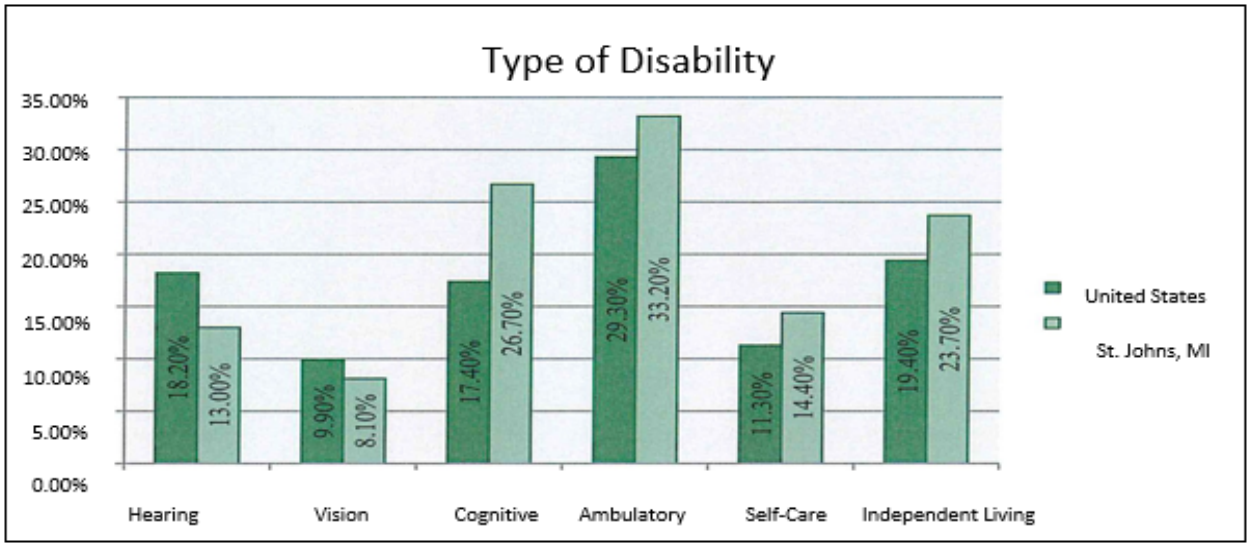


Figure 4: Type of Disability

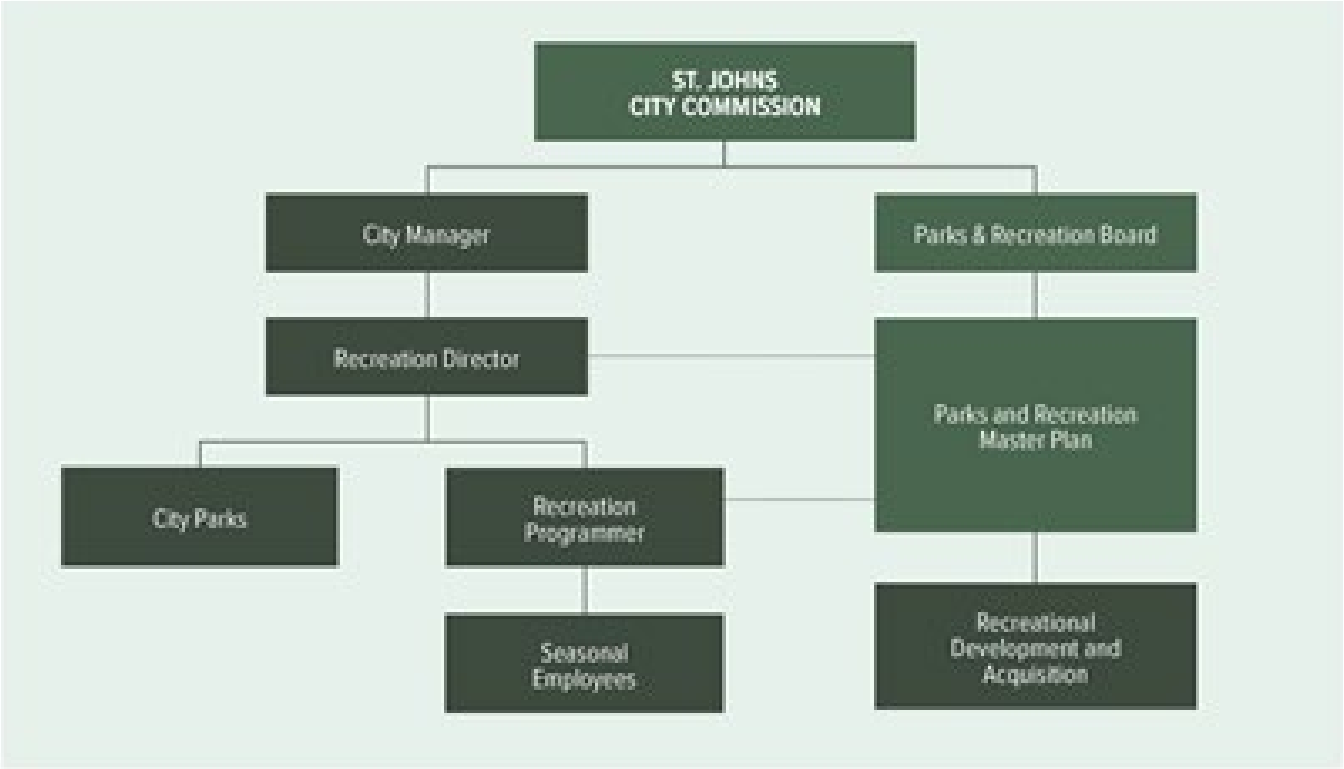
ADMINISTRATIVE STRUCTURE

Roles of Commissions and Advisory Boards, Staff Description, and Organizational Chart

The City of St. Johns is a home rule city, with a commission/city manager form of government. Five City Commissioners are elected to overlapping four-year terms. The City Commission sets the policies and budgets for all City functions, including recreation. The Commission allocates funds for operations, maintenance, and capital improvements. The Commission also hires the City Manager and other City staff responsible for implementing the Commission's policies and for operating City departments. This Board of Commissioners is enabled by Act 1905 PA 157; Township Parks and Places of Recreation.

The City Manager is responsible for and oversees the day-to-day operations of the city. He/she advises and consults with the City Commission and implements their decisions. The Parks and Recreation Director reports to the City Manager. He/she is responsible for maintenance of the parks, including equipment and buildings and

recreation programs. The Parks and Recreation Director supervises the Recreation Programmer, Pool Manager, parks staff, seasonal employees, and provides staff support to the Parks and Recreation Board.



The City of St. Johns has a seven-member Parks and Recreation Board. The City Commission established the Parks and Recreation Board in 1969 and follows policies and bylaws passed during their November 7, 2002 meeting. The City Commission appoints the members of the Board for staggered two-year terms. Members may be reappointed. There is no requirement for being appointed other than being City resident or owning a business within the city limits. The City Commission always likes to have a City Commissioner and a representative of the school district on the Board. The rest of the Board is made up of civic leaders, educators, youth service professionals, business owners and recreation program participants.

The Parks and Recreation Board is an advisory board. It reviews the City's programs, facilities, budgets, special requests, and other items requested by the City Commission. The Board makes recommendations to the City Commission on programs and policies. The City Commission has the authority to commit funds, accept grants, and acquire land.

Annual Budgets 2025-2030

TABLE 1 City of St. Johns Projected Budget			
NAME	PARKS	RECREATION	CAPITAL IMPROVEMENT
2025-2026(Actual)	$195,200	$247,650	$15,000
2026-2027	$168,100	$252,600	$15,000
2027-2028	$171,100	$257,700	$15,000
2028-2029	$174,100	$262,800	$15,000
2029-2030	$177,200	$268,100	$15,000

Current Funding Sources

Monies that make up the budget come from the City's general fund. The Parks Department budget, which funds repair and maintenance of City parks, has fluctuated over the years as larger improvements have been completed, but average $188,200 for 2016-2020. The average for the next five years is expected to be around $177,200. The Recreation Department budget, which funds recreation programming in the City parks and other facilities, has averaged $122,400 over the last five years. The average for the next five years is expected to be around $257,370.

Volunteers

Volunteers play a vital role in the City of St. Johns. Since 2000, volunteers have been the driving force behind major building projects in City Park. In 2000, a group of area residents raised over $110,000 for a wooden play structure. In 2004, another group of committed residents raised over $100,000 for a performance shell to replace an existing shell that was outdated and undersized. Recently, a group of citizens was able to raise over $200,000 (including foundation grants) to replace the failing City Pool with a new spray park, completed in 2015. Since 2024, another group of dedicated citizens raised over $365,000 for new universal play equipment. Community volunteers work on restoration and maintenance projects throughout the park system, including the historic rail cars at St. Johns Depot. Volunteers are also important for recreation programs, as they serve as coaches and supervision for many of the recreational programs, we utilized approximately 50 volunteers between 2024-2025.

Relationships: schools, public agencies, private organizations

The City Recreation Department has a good relationship with many of the other organizations in and around the city. There is a good working relationship between the school district and the city. Each uses the other's facilities for some of their programs. There is regular communication between the school and the city to improve the programs and resolve any problems. In the summer of 2010, the Recreation Department started to use the

school district's indoor pool for swim lessons, open swim, and lap swim. Since the outdoor pool at the City Park closed in 2009, all aquatic recreation programs have taken place at the high school pool. The Parks and Recreation Board includes the Facilities Director for the school. The School Board and City Commission meet as needed to discuss issues of importance between the two. Upper management for the City and school staff meet more regularly to discuss mutual issues.

The City Recreation Department works with many other local organizations and individuals to offer expanded programs to area residents. The department works with the St. Johns Youth Baseball Organization by sharing facilities and equipment. Our adult exercise classes use local instructors to lead these programs. Over the years, the Recreation Department has worked with the Kiwanis Club, Jaycee Club, Rotary Club, various St. Johns High School teams/clubs, Chamber of Commerce, and numerous businesses in St. Johns. The city also has an agreement with the Clinton County Sheriff's office to supply maintenance help with the Spray Park both before and after the operating season.

RECREATION INVENTORY

Methods

The recreation inventory began with a review of the City of St. Johns 2021-2025 Recreation Master Plan. Significant changes in the park system, such as the new spray park and other improvements, were recorded and updated. A tour of all City Park facilities was conducted, comparing the previous plan's inventory to the existing park facilities. The inventory was updated accordingly.

Park Inventory

The parks and recreation facilities of the City of St. Johns were surveyed and classified into an inventory, which will be used as a basis for determining need for specific recreational facilities within the city. The inventory has been broken into multiple categories including regional, public, school, and private facilities. This list was compiled by using the previous Parks and Recreation Master Plan, other governmental resources, and the Clinton County 2021-2025 Parks, Recreation and Open Space Plan.

Regional Facilities

On a regional basis, the City of St. Johns is within 20 miles of several regional facilities (Table 2). These facilities mainly provide opportunities for recreational activities related to water. Sleepy Hollow State Park provides numerous recreation activities, including fishing, boating, hiking, cross-country skiing,
camping, and swimming.

Location Map

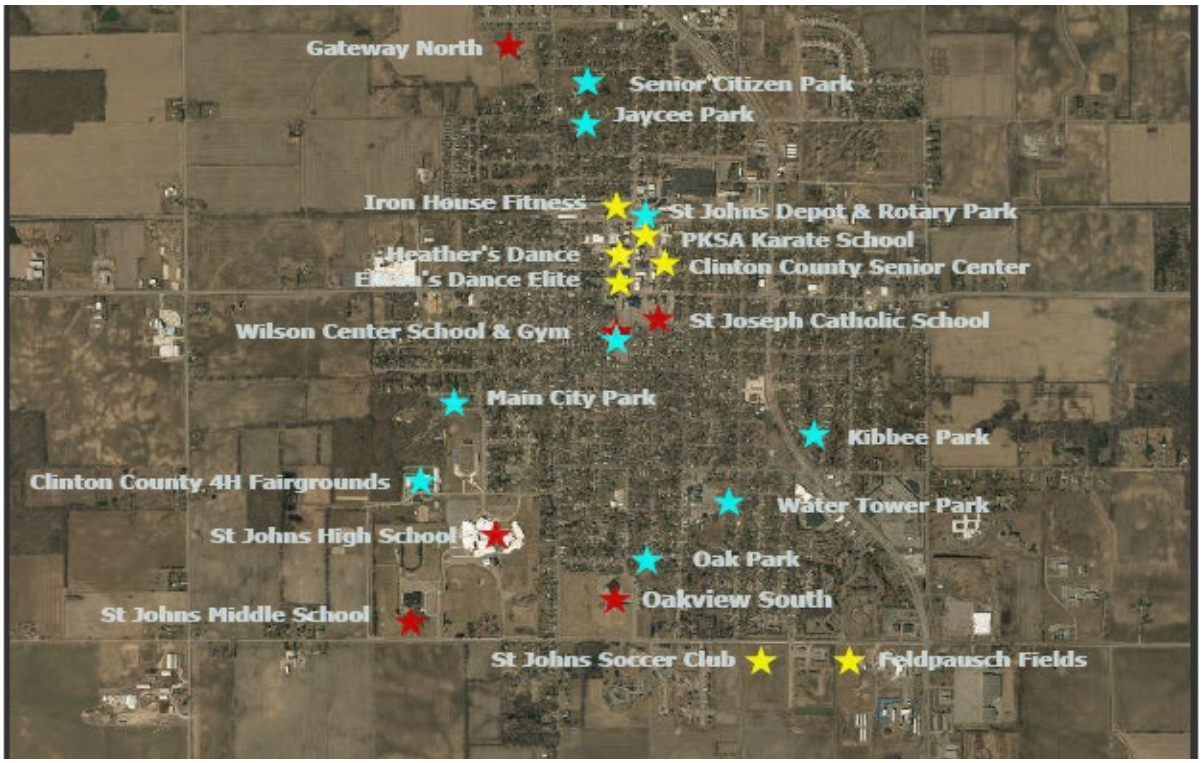


TABLE 2 City of St. Johns REGIONAL Public Recreational Facilities Inventory	
NAME	FACILITIES AVAILABLE
Looking Glass River	Boat Launch
Maple River	Boat Launch
Maple River State Game Area	Observation Deck
Grand River	Boat Launch
Muskrat Lake	Fishing, Boat Launch
Sleepy Hollow State Park	Fishing, Boating, Hiking, Cross-Country Skiing, Camping, and Swimming Beach
Francis Motz County Park	Sand Beach and Swimming Area, Beach house with 7 Unisex Restrooms, Paved Walkways and Parking Lot, Picnic Tables, Grills, Fishing Pier and a Covered Pavilion.

Clinton Lakes	272-acre property, fishing, hiking trails, nature watching. Big Clinton Lake - 90-acre lake found within Clinton Lakes County Park Little Clinton Lake - 12-acre lake found within Clinton Lakes County Park

Local Facilities

The following table is a comprehensive list of public and private recreational facilities within the City of St. Johns.

TABLE 3
City of St. Johns LOCAL Recreational Facilities Inventory

NAME	FACILITIES AVAILABLE	
Public Facilities		
Jaycee Park — Mini-Park An area for families to play and exercise	Playground Equipment Drinking Fountain	Picnic Table Benches
Kibbee Street Park — Mini-Park An area for families to play and exercise	Playground Equipment Benches Drinking Fountain Picnic Table	Grill Basketball Hoop Bike Racks
Oak Street Park — Mini-Park	Playground Equipment Open Play Area	Picnic Table
Senior Citizen Park — Mini-Park Passive, relaxing recreation	Basketball Hoops (2) Tennis / Pickleball Courts (2) Benches Picnic Shelter	Grills (2) Gliders (2)
St. Johns City Park — Large Urban Park	Tennis/Pickleball Courts (2) Performance Shell Picnic Pavilion Accessible Playground Picnic Shelters (4) Benches Picnic Tables Accessible Restrooms Trails (3) Youth Soccer Area Drinking Fountains Shuffleboard Court	Grills Full Basketball Court Basketball Court Softball Diamond (1) Flying Disc Golf Course (18 Holes) Sand Volleyball Court Seasonal Skating Rink Sledding Hill Accessible Playground (Fantasy Forest) Water Spray Park
St. Johns Depot and Rotary Park	City festivals and events Picnic Pavilion Gazebo	Train Depot Fred Meijer Clinton-Ionia-Shiawassee Trail Access

Water Tower Park	Basketball Court Playground Equipment	Picnic Area Drinking Fountains
4-H Fairgrounds (County Operated)	Smith Hall Peck Hall Animal Barns	Restrooms Arena (Indoor and Outdoor)
Wilson Community Center	Gym Meeting Rooms	Auditorium
Public School Facilities		
Gateway North	Soccer Field Basketball Courts (2) Baseball Backstop Swing Sets (2)	Play Structures (2) Picnic Tables Gym
Junior High/ High School Complex	Baseball Diamonds (2) Practice Cages (4) Soccer Net (6 sets) Soccer Fields (6) Soccer/Football Field	Football Field Middle School Track Tennis Courts (10) Gyms (3)
Oakview South	Soccer Field Basketball Courts (2) Baseball Backstop Swing Set	Play Structures (2) Picnic Tables Gym Quiet Area
Private School Facilities		
First Baptist	Playground Gym	Soccer Field Benches
St. Joseph's Catholic School	Gym Basketball Hoop	Playground
St. Johns Lutheran Church	Gym Basketball Hoop	Playground
Private Facilities		
Baseball Park (Little League)	Baseball Diamonds (5)	Batting Cage
Clinton County Senior Center	Indoor Passive Recreation	Food Services
Clinton Memorial Physical Rehab. and Occupational Center	Exercise and Rehabilitation Center	

Iron House Fitness	Weight training, fitness
PKSA Karate School	Karate and Fitness
St Johns Soccer Club	Soccer Fields (5)

In St. Johns, just as in many Michigan communities, the local schools provide a valuable resource of recreational facilities and programs to the community. For this reason, an inventory of the school facilities has been included in the inventory. Private recreational facilities, while generally pay-per-use, provide an excellent source for recreational opportunities that help to alleviate the pressures on public facilities. An inventory of the private recreational facilities in the City of St. Johns was also included as part of the local facilities inventory.

Currently, the City of St. Johns owns several parks. There are five neighborhood parks and one Main City Park. The neighborhood parks contain facilities ranging from benches and grills to playground equipment, and sports facilities. Table 4 lists each park's type, service area, accessibility, acres and features.

TABLE 4
CITY OF ST. JOHNS RECREATIONAL FACILITIES

	Main City Park	**Jaycee Park**	**Kibbee Street Park**	**Water Tower Park**	**Oak Street Park**	**Senior Citizen Park**	**Rotary Park**	**Wilson Center**
Park Type*	LUP	MP	MP	MP	MP	MP	CP	
Service Area**	SJA	NB	NB	NB	NB	NB	SJA	SJA
Accessibility Rating***	3	4	4	1	1	1	2	
Acres	92.5	0.62	0.3	0.72	0.7	1.59	1.9	N/A
Ball Diamond	x							
Basketball	x		x	x				x
Gazebo							x	
Ice Rink	x							
Open Play Field	x							
Pavilion	5					x	x	
Performance Shell	x							
Picnic Area	x	x	x	x	x	x	x	

Playground	x	x	x	x	x			
Grills	x	x	x			x		
Drinking Fountains	x	x	x	x			x	x
Restrooms	x						x	x
Sand Volleyball	x							
Sledding Hill	x							
Tennis Courts	x					x		
Trails/Paths	3						x	
Gymnasium								X
Auditorium								X
Community Room								X

* Park Type	**Service Area	***Accessibility Rating
CP = Community Park	NB = Neighborhood	1 = none of the facilities/park area meets ADA guidelines
LUP = Large Urban Park	SJA = St. Johns Area	2 = some of the facilities/park area meets ADA guidelines
MP = Mini-Park		3 = most of the facilities/park area meets ADA guidelines
NP = Neighborhood Park		4 = the entire park meets ADA guidelines
		5 = the entire park was developed /renovated using the principals of universal design

Park Descriptions and Accessibility Assessment

The parks in St. Johns are continually evaluated for effectiveness, safety, and accessibility. Based on priorities set in prior recreation plans and community input, several projects targeting accessibility have been completed in recent years, including accessible picnic pavilions, upgraded restroom facilities, and improved parking and facility access. All present and future renovations are completed with the principles of universal design in mind.

Jaycee Park

Jaycee Park is a mini park (0.62 acres) located at the corner of Ottawa Street and Gibbs Street. Designed as a space for families to play and exercise, this park features play equipment, grills, drinking fountains, benches, bike racks, and a picnic table. Renovated in 2009, the park has accessible sidewalks to all park features, as well as a new accessible drinking fountain and parking. Based on accessibility guidelines, the site would be ranked 4—the entire park meets accessibility guidelines.

Kibbee Street Park

Kibbee Street Park is a mini park (0.30 acres) located on the corner of Kibbee Street and South Traver Street. Designed as a place for families to play and exercise, it features a half-court basketball hoop, play equipment, picnic tables, benches, and bike racks. Also renovated in 2009, the park has connective sidewalks to all major features and an accessible drinking fountain. Based on accessibility guidelines, the site would be ranked 4—the entire park meets accessibility guidelines.

Oak Street Park

Oak Street Park is a mini park (0.7 acres) located along East Oak Street at its intersection with Wight Street. The park was converted from a small orchard to a community park in the 1970s. It has play equipment and a picnic table, as well as a large open grass area for free play. The park is less than ¼ mile from Oakview South Elementary School, which has a substantial play area in place. In its current condition, this park is underutilized, and not

wishing to duplicate an existing resource, the park has undergone little renovation. The community may be ready to explore a new use for the site, such as a community garden, a dog park, or selling it and using proceeds to improve other parks. Based on accessibility guidelines, the site would be ranked 1—none of the facility currently meets accessibility guidelines. Playground equipment was installed before US Consumer Product Safety Commission standards were established. They have no safety surfacing and no sidewalks. Playground does not meet barrier-free compliance.

Senior Citizen Park

Senior Citizen Park is a mini park (1.59 acres) located at the corner of Ottawa Street and Gibbs Street, across the street from Jaycee Park. Designed for passive recreation, the park features a picnic shelter, tennis/pickleball courts, basketball hoops, glider playground equipment, and benches. Based on accessibility guidelines, the site would be ranked 1— none of the facility currently meets accessibility guidelines. There are no sidewalks leading to any facility in this park.

St. Johns City Park

The Main City Park is the largest park in the city (92.5 acres) and hosts most of the City's recreational activities and amenities. Categorized as a Large Urban Park, it serves not only the City of St. Johns but surrounding communities as well. The park has many athletic facilities, including a baseball/softball diamond, basketball courts, a disc golf course, shuffleboard court, sand volleyball court, tennis courts, and a youth soccer field. The park has several picnic shelters/pavilions and restroom facilities, some of which are accessible. Additionally, it has several play areas, including the community-funded "Fantasy Forest", a new accessible play structure. It also has an accessible spray park with accessible bathroom/changing restrooms. Nature walking trails connect various aspects of the park and provide for passive recreation. A renovated performance shell provides for many activities in the warmer months, while a seasonal skating rink and sledding hill provide winter recreation.

Based on accessibility guidelines, the site would be ranked 3—most of the facility currently meets accessibility guidelines. In the last 5 years, the main restrooms and pavilion have been renovated for universal accessibility. Within the park, there are paved walkways to all pavilions, the Performance Shell, and the Fantasy Forest play structure. The parking lot by the spray park was improved by adding a new surface with curb/gutter and sidewalk running along it. Wooded walking/jogging trails are not barrier free.

St. Johns Depot and Rotary Park

Rotary Park is a community park (≈1.9 acres) located along the recently developed Fred Meijer Clinton-Ionia-Shiawassee Trail. The depot was purchased in 1998, with additional surrounding lands acquired in 2010. Adjacent to downtown, this renovated train depot hosts city events, rentals, and serves the trail users. The depot building received updates to paint, lighting, and flooring in 2025. The trailhead park with a restroom building, picnic tables, benches, wayfinding sign, accessible walkways, and new parking lot were completed in 2017. Improvements to Railroad Street will increase the parking capacity around this park. Based on accessibility

guidelines, the site would be ranked 2—some of the facility currently meets accessibility guidelines. This site is fully accessible.

Water Tower Park

Water Tower Park is a mini park (0.72 acres) located at the corner of Elm Street and Swegles Street. The park has a half-court basketball hoop, picnic area, and playground equipment. The park land is leased from the adjacent hospital, which makes investment in improvements difficult to justify. Communication should be opened about purchasing this land or more permanently acquiring the property. Playground equipment was installed before US Consumer Product Safety Commission standards were established. Most do not have safety surfacing and there are no sidewalks. Playground does not meet barrier-free compliance. Based on accessibility guidelines, the site would be ranked 1— none of the facility currently meets accessibility guidelines.

Previous Grant Status Report

The City of St. Johns has received numerous grants from the Michigan Department of Natural Resources since 1972 (See Table 5).

Table 5
Grant Assisted Projects

Grant Number	Year	Project	Location	Status
26-00267	1972	St. Johns City Park	Main City Park	Closed
26-01023 Q3	1977	Main Park Restrooms	Main City Park	Closed
26-01060 w	1978	Northside Tennis Courts	Senior Citizen Park	Closed
BF89-359	1989	Veteran's Memorial Swimming Pool Renovation	Main City Park	Closed
26-01670	2006	Kibbee St Park and JC Park Renovations	Jaycee and Kibbee Parks	Closed
TF-09-169	2009	St. Johns Trailside Parkway Acquisition	Rotary Park	Closed
TF 14-0109	2014	St. Johns Trailside Park Renovation	Rotary Park	Closed
26-01741	2014	St. Johns City Park Improvements	Main City Park	Closed
TF- 16-0159	2016	Veterans Memorial Bathhouse Renovation	Main City Park	Closed

TF21 - 0145	2021	Scott Road Connector Trail	Scott Road	Closed
TF21 - 0149	2021	City Park Improvement	Main City Park	Closed
ARPA – 1085	2023	Fantasy Forest 2.0	Main City Park	Open

PLANNING PROCESS

The planning process for the 2025 – 2030 Master Plan began with a review of the 2021-2025 Five Year Parks and Recreation Plan that was adopted in February of 2021 by the members of the Parks and Recreation Board. The plan outlined the goals for the development of park and recreational opportunities within the city for five years.

The planning process continued in July 2024 with a site visit to three parks to assess each park. The remaining 3 parks were visited in October 2024. The survey for the new master plan was developed in January 2025, several revisions of the survey took place. In March 2025 and June 2025, the surveys were distributed to the community and responses were accepted for a month from the first posting. The first survey was related to park facilities and the second covered recreation programming and funding. These responses were reviewed with the Parks and Recreation Board at a meeting on July 23, 2025. The main body of the Master Plan was also distributed for preliminary review by the board.

The meeting participants discussed objectives and a plan of action for the new Master Plan based on the survey feedback.

The survey feedback and meeting discussion were incorporated into an updated list of goals and objectives, which was then translated into an action plan for the city. This plan and the main body of the Master Plan were reviewed by the Parks and Recreation Board at a meeting on July 16 ,2025. Changes from this meeting will be incorporated and the Master Plan will be posted for public review on September 23, 2025. Citizens will also be encouraged to comment through the City's website and social media presence. Residents in the City's email database were sent notice by email. A public hearing meeting took place on December 3, 2025. Newspaper notice for the public hearing was circulated on September 26, 2025 and notice via email and social media was distributed. Comments from the public review period will be incorporated into the Master Plan prior to the public hearing meeting at the City Commission meeting. After City Commission approval, the Master Plan will be submitted to the State.

PUBLIC INPUT

Methods

Public input was the primary guide to developing this Master Plan. Several methods were used, including a community survey at the beginning of the process, a public posting of the plan for community review, and a community meeting near the end of plan development.

The community survey was developed based on the previous recreation plan's questions and responses. Several recreation plans, including the State of Michigan and Clinton County, were reviewed for applicable questions to incorporate into the survey. We condensed the survey questions and divided the questions into two surveys to try and get more people to answer a shorter version. Special care was taken to process and incorporate any written feedback received during the last community survey. Developed online using Survey Monkey, the community survey was distributed using the City's website and social media presence and sent to approximately 750 recipients in the City's email database. Community members could take the survey online or call the City Offices to have a paper copy mailed. An effort was made to reach as many citizens as possible. Overall, 286 people did the Parks survey and 160 people completed the programming survey. Of the 286 people responded to the park survey, roughly 56% of them were from the city (160), representing approximately 3.7% of the population of the City of St. Johns. This group is believed to be representative of the city demographic as a whole. Survey responses are incorporated into the Action Program Rationale and a full copy of the survey and responses can be found in Appendix A: Survey and Results.

The plan was posted for community review on September 12, 2025. Citizens could contribute feedback in several ways, including through an online comment form, email, and phone.

GOALS AND OBJECTIVES

1. Provide safe, inclusive, community-based recreational opportunities that improve the overall quality of life for all St. Johns-area residents.

Parks provide a natural gathering place for the community as well as provide for free or low-cost recreational activities. Therefore, it is important to continue to provide and improve these facilities. Based on community input, the city will continue to provide and improve these facilities.

- Objective: Continue to improve and upgrade the City of St. Johns recreational and support facilities, based on community feedback, of which residents can be proud.

- Objective: Provide increased and better access to and through the City Parks and Trails System.

- Objective: Add passive and active programming based on community input and available financing.

2. Promote development of a non-motorized pathway system throughout the city to encourage interaction and participation, improve pedestrian safety, and strengthen non-motorized linkage between City parks and other recreational facilities.

Paths and trails are a high priority for the residents. St. Johns currently has few trails, but with the construction of the Fred Meijer CIS Trail, they have seen a rise in non-motorized activity in the city. Connecting the rail-trail with the City Park and other points of interest is a high priority for the community. 80% of survey respondents place a high or moderate funding priority on increasing trail connectivity within the community.

- Objective: Expand non-motorized pathways in St. Johns, with focus on existing paths and points of interest.

- Objective: Evaluate options for safely moving pedestrian traffic across Old U.S. 27 to expand non-motorized park access from the east side of the highway.

- Objective: Pursue a partnership with Clinton County to connect the Fred Meijer CIS Trail to Motz Park and possibly other county resources.

3. Promote regional cooperation between the City of St. Johns, Clinton County, surrounding townships, the St. Johns School District, and other public and private organizations within the County to better provide comprehensive recreational opportunities to the residents of St. Johns and Clinton County.

It makes financial and practical sense to coordinate recreation within the city in a way that is aware and supportive of the surrounding areas. The City and School District have been working together for years providing shared recreation programs and facilities. Further collaboration with the County and other organizations will prove to an important component in providing quality recreational programs and facilities to the St. Johns community.

- Objective: Continue to work with the existing partners to provide recreational programming and facilities.
- Objective: Continue to explore options for new and expanded partners, providing additional recreational opportunities.

4. Enhance the quality of local neighborhoods through establishment and maintenance of quality neighborhood parks conveniently located to all City residents.

Park facilities are among the most visible indicators of community identity and pride. Every park in the system, except for the Senior Citizen Park, was shown to be the most important park to several responding households, with all parks being used by individuals on a bi-weekly basis or more frequently. The majority of respondents said clean and quality restrooms and playground areas were the most important features of a park.

- Objective: Continue to upgrade playground equipment and access, paying special attention to universal access.

- Objective: Keep parks safe and well-maintained.

- Objective: Investigate all appropriate methods to provide facilities and for facility improvements, including providing incentives to private developers, promoting donation of property and/or facilities, and the sale of unused/underused assets.

5. Provide universally accessible recreation opportunities designed with all community members in mind.

The city wishes to provide recreational activities for residents of all abilities. With ambulatory and cognitive disabilities shown to be higher than the national average, special care should be taken to actively incorporate facilities for these users.

- Objective: Partner with organizations that serve disabled individuals to better understand and provide for community needs.

- Objective: Make sure that all improvements and upgrades to park facilities, where feasible, are universally accessible.

6. Strengthen the role of the City of St. Johns as a regional provider/coordinator of recreational opportunities and develop a plan that maximizes the impact of existing and future recreation providers.

Due to its centralized location and rural surroundings, the city is the major recreational provider for the central and northern part of the county. Many people from within and outside the city look to us for recreational programming, yet many are not aware of the programming we offer. Several survey respondents were unaware of multiple parks, recreation resources, and facilities.

- Objective: Expand current internet presence, including the city website, to provide information on facility locations, features, and recreation programs.

- Objective: Explore the possibility of creating a Recreation Authority with other municipal groups and recreation providers.

- Objective: Explore additional methods to improve community awareness of recreation programs and facilities.

- Objective: Encourage citizen involvement in the park system through volunteer programs, interpretive programs, and the decision-making process. Consider implementing regular online community surveys to monitor progress and gain input on specific recreation decisions.

7. Acquire property, as necessary, to meet the long-term recreational needs of City residents.

In the past, the City has purchased valuable parks and recreation land but has also sold land to other entities providing them with land to expand their facilities. Local officials must be conscious of the need to retain and acquire additional parkland.

- Objective: Retain existing parkland to meet recreational needs of the city.

- Objective: Encourage the use of open spaces for recreational purposes.

- Objective: Evaluate every opportunity to expand/improve the park system and take action where practical, this may include selling underused park land and using proceeds to improve or purchase other parks. Natural conservation should be considered in addition to facility expansion.

8. Promote healthy, active lifestyles through the St. Johns Parks and Recreation facilities and programs.

Considering national problems of obesity, heart health, diabetes, and other health issues, it is important to take into consideration the health impact of new and existing facilities and programs. Just over 87% of respondents participate in recreation programs offered by the department, yet 58% of survey respondents still feel that the improvement of health and fitness programming would have a positive impact on their satisfaction, and 71% currently use the parks for fitness and exercise. 57% feel that the development and improvement of trails within the park system is the most important feature of the park and 39% believe that the city should offer more availability of walking/biking trails.

- Objective: Promote awareness of existing facilities and programs that support healthy lifestyles and choices.

- Objective: Provide additional health and fitness programming.

- Objective: Provide additional facilities and opportunities, including walking and biking trail systems, which foster healthy choices and lifestyles.

- Objective: Provide innovative recreation opportunities for all seasons that encourage active year-round lifestyles.

ACTION PROGRAM

ACTION PROGRAM

The action plan for the City of St. Johns Parks and Recreation Plan includes proposed action items including capital improvements, organization, and recreation programming changes. Priority rankings were based on survey responses, goals, and discussion within the Recreation Board. Project types consist of; Capital Improvements (C), which involve monetary investment in new facilities or equipment, Maintenance (M), which involve renovating and maintaining existing features, and Planning (P), which involve brainstorming ideas and generating community buy-in for new developments.

Figure 5

City of St. Johns 2026-2030 Action Items

Park	Project	Project Type	Related Goal	Priority
Jaycee Park	Landscaping	C	4	Low
	Pavilion	C	4	Low
	Fall Zone Improvement	M	4	High
Kibbee Street Park	Landscaping	C	4	Low
	Pavilion	C	4	Low
	Replace Existing Fencing	M	4	Low
	Fall Zone Improvement	M	4	High
Oak Street Park	Park Improvement Plan — explore alternative playground options (ex. nature playground)	P, C	1, 4, 5	Medium
Senior Citizen Park	Construct Parking Lot	C	1, 5, 6	Medium
	Construct Accessible Walk System	C	1, 5, 6	Medium
	Play Equipment — Install new swings	C	1, 5, 6	Medium
	Transform Tennis Courts to Pickleball Courts	C	1, 5, 6, 8	High

St. Johns City Park	Improve Sidewalk Circulation System	C	1, 4, 5	High
	Renovate Bath House and Replace Worn Spray Park Features	M	1, 3	High
	Improve Trail System	M	1, 2, 6, 8	High
	Fantasy Forest Future Phases	M	1, 3, 5, 6, 8	High
	Build Ice Rink	C	1, 4, 6	Low
	Expand and Improve Sledding Hill	C	1,4, 6, 8	Medium
	Landscaping Improvements	M	1, 4	Medium
	Construct New Soccer Field	C	1	Low
	Main Pavilion Exterior Renovation	M	1	Medium
St. Johns Depot and Rotary Park	Park Improvement Plan (East Side)	P	1, 3, 5, 8	Medium
	Playground Equipment	C	1, 3, 4, 6, 8	Medium
	Parking Lot Expansion	C	1, 5	Low
	Senior Citizen Amenities	C	1, 5	Low
Water Tower Park	Construct Accessible Walk System	C	1, 4, 5	Medium
	Land Acquisition (Purchase from Hospital)	C	7	Low
	Playground Equipment (remove and replace)	C	1, 4	Low
	Park Improvement Plan	C	1, 4, 8	Medium
Wilson Center	Recreation Programming	P	1, 3, 5, 6, 8	High
Other	Trail Connections — CIS Trail to Main Park	C	5, 6,	High
	Trail Connections — CIS Trail to Jaycee / Senior Citizens Park	C	1, 2, 3, 5, 6, 7, 8	Medium
	Trail Connections — CIS Trail to Kibbee Street Park (improve crosswalk)	C	1, 2, 3,	Medium
	Implement Park Signage System	C	1, 3,	Medium
	Revise City Recreation Website	M	1, 3,6	Medium
	Park Lighting & Safety Evaluation (All Parks)	P		Medium
	Fell Property Master Plan	P	7, 8	Low
	Identify Location for Community Dog Park	P	1, 3, 4, 5, 8	High
	Identify Location for Community Skate Park	P	1, 3, 8	High

RATIONALE FOR ACTION PROGRAM

Jaycee Park

In line with Master Plan goals 1 and 4, park improvements such as landscaping installations and a picnic pavilion would strengthen the neighborhood park for the surrounding community. Jaycee Park was recently renovated with new playground equipment and a sidewalk circulation system. It meets most community needs currently, making further improvements a relatively low priority.

Kibbee Street Park

Kibbee Street Park could see additional improvements in the future including landscaping improvements, a picnic pavilion, and replacement of existing aged fencing. These improvements support goals 1 and 4 by strengthening the park and providing a safe environment. The park play equipment and sidewalk system was recently renovated and currently meets the needs of the surrounding community, making further improvements a relatively low priority.

Oak Street Park

Oak Street Park has been underutilized in the past, partly due to its proximity to the local elementary school, which has an excellent traditional play structure. The Park Improvement Plan would encourage community input on alternative site uses, such as a nature-based playground, skate park, or dog park. In the interest of not duplicating existing resources, improvements with traditional playground equipment are not being pursued for the site. The site currently does not offer much to residents and has relatively low use numbers. Improvement to this park would meet goals 1 and 4. Priority for this project is moderate as the needs of the community are largely met by the nearby playground.

Senior Citizen Park

Senior Citizen Park is adjacent to Jaycee Park, and its facilities will service both parks' users. There is currently no walking system, parking lot, or bathroom facility on site, the addition of these aspects would greatly increase the accessibility of the park (goal 5) while meeting goals 1 and 4 by providing a safer park. The city put together a master plan for the project that implements all three of these items in addition to a pickleball complex on the existing tennis courts and a small play structure. This six-court facility will help satisfy the growing pickleball population in St Johns.

Based on a recent survey, conducted by the city and answered by 276 people, 71% of the people said they use parks for fitness and exercise. The survey response ranked pickleball courts sixth (24%), most important feature when visiting a park. This was behind restrooms, play equipment, walking trails, spray park and picnic shelter. Pickleball courts are ranked as the fourth (26%) most important facility the city needs to offer more of. This was behind walking/biking trails, community center, and bathrooms. The proposed walking trail/sidewalk would connect all the facilities within the park.

St. Johns City Park

The main city park is the largest park in St. Johns and is the most utilized park visited by 97% of the survey respondents. Recent improvements and additions include a spray park, upgraded restroom facilities, improvements to the sidewalk system and disc golf course have been completed in the last six years.

The circulation system within the park is lacking in several areas, both in paved and unpaved trails. Walking trails are some of the most used and most important features for survey respondents, and the improvement of both paved and unpaved systems would meet goals 1, 4, 5, 6, and 8. These improvements are placed as a high priority.

Winter activities were expressed to be important in the survey results, and renovations to the sledding hill would support winter recreation in St. Johns. These renovations will include additional lighting at the sledding hill. Improving these features is a moderate priority for the city and would meet goals 1, 4, 6, and 8.

The Main Pavilion is a very noticeable part of the main park and is beginning to show wear. Exterior renovation would meet goals 1 and 4 and is a moderate priority.

The park road system had improvements completed in 2021. Maintaining the park road system will be a priority. varies in quality and safety, some of it being unpaved. The maintenance and improvement of these roads would benefit park users while meeting goals 1, 4 and 5.

St. Johns Depot and Rotary Park

The St. Johns Depot and Rotary Park are located along the Fred-Meijer CIS Trail, and the construction of a trailhead park is underway. The park is a long, thin strip, and there are currently no plans for the east side of the site. Alternatives to explore for this area include play equipment, artifact display areas (to tie into the historic train depot), a dog park, a skate park, or a high ropes course. Amenities for senior citizens, such as glider swings and fitness stations, will also be explored and incorporated. A parking lot expansion may become necessary as the park expands but is a relatively low priority in comparison with other site improvements. The level of community support or interest in each of the options would be collected in the Park Improvement Plan. This plan would be a critical step before further improvements can take place and is a moderate priority. The projects for this site have the potential to meet goals 1, 3, 4, 5, 6, and 8.

Water Tower Park

Water Tower Park presents a unique challenge within the city park system. The parkland is owned by the adjacent hospital and is leased to the city (for only 1 dollar) on a yearly basis. Until the park land can be acquired, park improvements are difficult to justify as they may not belong to the City in the long term. Regardless, the improvement of the park is important to citizens and to the city. A park improvement plan, featuring an accessible walk system and new playground equipment, could meet goals 1, 2, 3, 4, 6, and 8. This plan has a relatively low to moderate priority until the land can be permanently acquired. The possibility of acquiring the land or signing a longer lease in cooperation with the hospital should be explored as a part of this plan.

Wilson Center

In 2018, the city began renting the Wilson Center, the former Rodney B Wilson School, and multiple classrooms from the St. Johns Public School District for recreation programs. These programs were received well by the community, and the gym was being used for either recreation programs or private rentals almost every night from October – April. The City offered: Open gym pickleball, basketball, volleyball, volleyball leagues, basketball clinics, yoga, Zumba, cardio drumming, Nerf battles, as well as private rentals and birthday parties. The school district sold the building to a developer in 2022, and the building was deemed unusable. In 2025, the City entered into a condo-style purchase agreement for the gym, auditorium, and community room from the developer and will be renovating it to use those rooms for the same recreation programs as before along with more adaptive sports, floor hockey, soccer/futsol, batting cages, theater, music, dance, esports, arts/culture/enrichment classes, and special events. This will become the first and only community center owned by the city. Having these programs available will meet goals 1, 3, 5, 6, and 8.

Trail Connections

The addition of non-motorized trail connections throughout the city relate directly to goal 2 and have been a priority for the city since the completion of the Fred Meijer CIS Trial. The desire for these trail systems has been expressed by the community survey. Providing a pedestrian connection from the CIS Trail to the Main City Park has the highest priority, as this is the park that has the most users and the most regional draw. Connection to Kibbee Street Park would involve getting pedestrians across highway 27, something the community has wanted to do for some time. Connecting to both Kibbee Street Park and Senior Citizens/Jaycee Park are moderate priorities for the community. These trail connections are consistent with goals 1, 2, 3, 5, 6, 7 and 8.

Dog Park

The idea of a dog park has been discussed for years in St. Johns. 21% of survey respondents feel the addition of a dog park is a high priority in the park system. The demand for a park is present, but it must be located wisely with proper community guidance and input. Potential locations are at the BMX track in the main city park or at the Depot lot, but many other potential locations should be explored. The planning for and eventual creation of a dog park would meet goals 1, 3, 4, 5 and 8 and is a low priority.

Skate Park

A skate park has been discussed for years as a means to engage the teenage demographic in St. Johns. Either facility could be an exciting new addition to St. Johns and the surrounding region, and a community discussion should be opened. The planning for and construction of a skate park would meet goals 1, 3, 4, 5, and 8 and is a low priority for the community.

Website Revisions and Park Signage System

The community survey has revealed that many park users have trouble finding information on St. Johns parks, and some do not know that certain parks exist within the system. To better promote park usage, several projects have been developed with a moderate priority. Revisions to the City website including a park map and facility

list, would provide information to the average user at a relatively low cost to the city. This could also be applied to recreational programs. A consistent park signage system would also help citizens locate parks and develop a sense of identity for neighborhood parks and for the St. Johns park system. This will become especially important for wayfinding as non-motorized trails are developed. The improvement of the website and park signage system meets goals 1, 3, 4, and 6 and are both a moderate priority to complete.

Recreation Programming

The majority of recreation program users feel that offering more health and fitness classes and swimming classes would have a positive impact on their satisfaction with the St. Johns Recreational Programming. Additional classes are limited by the availability of instructors and facilities, but the option to expand wherever possible should be explored. Amenities related to these classes, such as inflatable obstacles, fitness equipment, and adaptive fitness equipment will also be pursued. This is a moderate priority for the city and would meet goals 1, 3, 5, 6, and 8.

Gymnasium

The gymnasium inside the Wilson Center will be the hub for our sports clinics, leagues, and open gyms. With different sports available it will be appropriate for young children to help them establish a healthy lifestyle, adults who accompany their children or simply wish to improve their health, and for older citizens who wish to exercise. Adaptive sports equipment will also be considered to make sure community members of all abilities can utilize this space. With specialized and alternative forms of equipment to address the special needs of area residents, the gymnasium will directly support the Mission Statement of the Parks and Recreation Plan to support inter-generational recreational activities and address the recreation needs of all segments of the population.

Auditorium

The auditorium located in the Wilson Center will be ideal for theater groups, dance groups, concerts, entertainment shows, and community movie nights. Use of the auditorium in this capacity would meet goals 1, 3, 5, 6, and 8.

Classroom /Meeting Room/Multi-use Room

This room would be available for community meetings, provide space to hold community enrichment classes, esports events, and be used as a room to hold birthday parties or other special events.

Appendix A - Surveys
PARKS SURVEY
Q1
I (or a member of my household) use the park facilities in the City?

- Answered: 282
- Skipped: 4

Answer Choices	Responses
Yes	96.81% 273
No	3.19% 9
TOTAL	282

Q2
Which park do you use? (Select all that apply)

- Answered: 274
- Skipped: 12

Answer Choices	Responses
Main - 801 W Park St	96.35% 264
Jaycee - 209 W Gibbs St	21.17% 58
Kibbee - 604 S Kibbee St	10.95% 30
Senior Citizen – 806 N Ottawa St	4.74% 13
Water Tower – Next to hospital	6.93% 19
Oak St – 200 E Oak St	6.57% 18
Rotary Park – 107 E Railroad St	32.48%

Answer Choices	Responses
	89

Total Respondents: 274

Q3
Why do you visit a City of St Johns Park? (Select all that apply)

- Answered: 281
- Skipped: 5

Answer Choices	Responses
Fitness & exercise (walking/biking/etc.)	71.17% 200
Casual informal use (picnic/playground)	72.24% 203
Participates in a game for a league	18.15% 51
Community event (movie/concert)	46.98% 132
Youth program activity	22.78% 64
Do not visit the parks	0.71% 2
Other (please specify)	11.74% 33

Total Respondents: 281

Q4
Please select the existing features you would consider to be the most important when visiting a park. (Select up to three)

- Answered: 283
- Skipped: 3

Answer Choices	Responses
Restrooms	81.98% 232
Play equipment	62.54% 177
Ball fields	16.96% 48
Paved parking	18.02% 51
Tennis courts	11.31% 32
Water Spray Park	42.40% 120
Basketball courts	18.02% 51
Natural Walking Trails	57.24% 162
Picnic shelters	42.05% 119
Volleyball courts	9.54% 27
Shuffleboard court	5.30% 15
Pickleball court	22.97% 65
Disc golf course	8.13% 23
Community center	15.19% 43
Dog park	21.20% 60
Inclusive/Accessible park	19.08% 54
Other (please specify)	4.95% 14

Answer Choices	Responses

Total Respondents: 283

Q5
What facilities are missing or should the City offer more of? (Select up to three)

- Answered: 256
- Skipped: 30

Answer Choices	Responses
Walking/biking trails	39.84% 102
Softball fields	4.69% 12
Community center	31.64% 81
Sledding hill	11.33% 29
Pickleball courts	25.39% 65
Playgrounds	17.19% 44
Soccer fields	7.42% 19
Shuffleboard facilities	9.38% 24
Paved parking	5.08% 13
Restrooms	32.03% 82
Tennis courts	3.13% 8
Parks	7.03% 18

Answer Choices	Responses
Basketball courts	10.16% 26
Skate Park	18.75% 48
None	5.86% 15
Other (please specify)	10.94% 28

Total Respondents: 256

Q6
Where do you live?

- Answered: 285
- Skipped: 1

Answer Choices	Responses
City of St Johns	55.79% 159
Victor Township	2.11% 6
Bingham Township	12.63% 36
Olive Township	4.91% 14
Greenbush Township	7.37% 21
Bengal Township	3.16% 9
Essex Township	3.16% 9
Duplain Township	3.16% 9
Riley Township	3.86% 11

Answer Choices	Responses
Ovid Township	1.05% 3
Other (please specify)	2.81% 8
TOTAL	285

PROGRAMMING SURVEY

Q1
I (or members of my household) participate in City Recreational programs.

- Answered: 157
- Skipped: 3

Answer Choices	Responses
Current participant	37.58% 59
Past participant	49.04% 77
Never participated	13.38% 21
TOTAL	157

Q2
Which programs would you participate in, if offered (select all that apply):

- Answered: 158
- Skipped: 2

Answer Choices	Responses
Yoga	36.08% 57

Answer Choices	Responses
Zumba	20.25% 32
Cardio drumming	20.25% 32
Kickboxing	18.99% 30
Bag toss/Corn hole	10.13% 16
Volleyball leagues	9.49% 15
Softball leagues	11.39% 18
Pickleball leagues	13.92% 22
Soccer leagues	8.86% 14
Tennis leagues	2.53% 4
Football leagues	11.39% 18
Kickball leagues	5.70% 9
Basketball leagues	10.13% 16
Soccer/futsol leagues	5.70% 9
Open gyms	23.42% 37
Walking club	32.28% 51
Lacrosse	3.80% 6
Youth sports	32.91% 52

Answer Choices	Responses
Swim classes	34.18% 54
Arts & crafts classes	29.75% 47
Dance classes	21.52% 34
Music classes	13.29% 21
Theater programs	13.92% 22
Special events	19.62% 31
Community enrichment workshops	17.09% 27
None	1.90% 3
Responses Other (please specify)	13.92% 22

Total Respondents: 158

Q3
Please select the best ways to let you know about recreational programs and events in the future (select up to two):

- Answered: 160
- Skipped: 0

Answer Choices	Responses
Social media (Facebook, Instagram)	61.88% 99
Word of mouth	5.00% 8
City of St Johns Websites	25.62% 41

Answer Choices	Responses
Recreation Department Registration Website	0.00% 0
Newsletter	22.50% 36
Email	78.75% 126
Text Blast	28.75% 46
Parks & Rec seasonal brochure	15.00% 24
Program flyers	14.37% 23
Visiting or calling the City/Recreation office	0.63% 1
Radio	0.63% 1
Responses Other (please specify)	0.63% 1

Total Respondents: 160

Q4
If the City were to consider a millage dedicated to funding, development, maintenance, and programming of parks and recreation facilities/activities, what would influence your possible support of it?

- Answered: 143
- Skipped: 17

	High priority	Moderate priority	Low priority	No priority	Total	Weighted Average
Funds to be used toward facilities to hold our recreational programs at	30.51% 18	33.90% 20	32.20% 19	3.39% 2	59	2.08

	High priority	Moderate priority	Low priority	No priority	Total	Weighted Average
Funds to be used toward creating more recreational programs and/or updating current programs	59.49% 47	31.65% 25	6.33% 5	2.53% 2	79	1.52
Funds to be used toward park facility improvements	32.81% 21	35.94% 23	26.56% 17	4.69% 3	64	2.03
Must be renewed by voters every 5 years	26.87% 18	32.84% 22	11.94% 8	28.36% 19	67	2.42
Must be renewed by voters every 10 years	13.89% 10	26.39% 19	33.33% 24	26.39% 19	72	2.72
I would not support a tax millage	0.00% 0	0.00% 0	0.00% 0	100.00% 1	1	4.00

Comments(11)

Appendix B – Notice of Plan Availability

LocaliQ
Michigan
GANNETT

PO Box 630491 Cincinnati, OH 45263-0491

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City Of St Johns/Legals
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Saint Johns MI 48879-0477

STATE OF WISCONSIN, COUNTY OF BROWN

The Lansing State Journal, a newspaper published in the city of Lansing, Ingham County, State of Michigan, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

09/26/2025

and that the fees charged are legal.
Subscribed and sworn to before me on 09/26/2025

CITY OF ST. JOHNS
MASTER PLAN & PARKS AND RECREATION PLAN
COMMENT PERIOD AND PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the Michigan Planning Enabling Act and the Michigan Department of Natural Resources Guidelines for Community Parks and Recreation Plans, that the draft City of St. Johns Master Plan and Parks and Recreation Plan will be available for public review, and that a public hearing will be held on the plans.
The plans will be available at St. Johns City Hall (100 E State St #1100, St. Johns, MI 48879) and at cityofstjohnsmi.com from September 23, 2025 to November 18, 2025.
The St. Johns Planning Commission will hold a public hearing on December 3, 2025 at 5:30 pm at Clinton County Courthouse, Suite #2200 (100 E State St, St. Johns, MI 48879).
Written comments on the proposed Master Plan and Parks and Recreation Plan may be submitted online at www.surveymonkey.com/r/masterplanstjohns, by email to ckhorey@mcka.com, or by mail to St. Johns City Hall, 100 E State St, Suite #1100, St. Johns, MI 48879.
Chris Khorey, AICP
Contract Planner
LSJ-11695224 09/26/2025

Legal Clerk

Notary, State of WI, County of Brown

9-3-29
My commission expires

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Notary Public
State of Wisconsin

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Appendix C – Public Hearing Notice and E-mail

LocaliQ
Michigan
GANNETT

PO Box 630491 Cincinnati, OH 45263-0491

AFFIDAVIT OF PUBLICATION

ALS CITY OF ST JOHNS/LEG
City Of St Johns/Legals
Po Box 477
Saint Johns MI 48879-0477

STATE OF WISCONSIN, COUNTY OF BROWN

The Lansing State Journal, a newspaper published in the city of Lansing, Ingham County, State of Michigan, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

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KONGMENG YANG
Notary Public
State of Wisconsin

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Appendix D - Public Hearing Minutes

Heather Hanover
Chair

James Eshelman
Vice-Chair

Commissioners

Scott Dzurka, *Mayor*
Eric Hufnagel, *Commissioner*
Mark Holden
Eric Harger
Brian Mills
Shelley Gunther
Kelly Taylor

PLANNING COMMISSION

DECEMBER 3, 2025
REGULAR MEETING MINUTES

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 5:31 p.m.

Members Present:	Heather Hanover, Mark Holden, Eric Hufnagel, Brian Mills, Scott Dzurka, Eric Harger, James Eshelman, Kelly Taylor
Members Absent:	Shelley Gunther
Staff Present:	Chad Gamble, City Manager; Mindy J. Seavey, City Clerk; Jacob VanBoxel, McKenna; Ethan Senti, McKenna

2. APPROVAL OF AGENDA

Motion by Commissioner Dzurka seconded by Commissioner Hufnagel to approve the agenda as presented.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

3. APPROVAL OF MINUTES – NOVEMBER 12, 2025 MEETING

Motion by Commissioner Hufnagel seconded by Commissioner Holden to approve the minutes as presented.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

Chairperson Hanover welcomed our new member.

Commissioner Taylor said she is happy to be here and is excited to learn. She discussed reading some of the master plan.

Mayor Dzurka said we appointed an additional individual, Shelley, who could not make it this evening. He said Kelly and Shelley presented to the city commission last week and both come with a wealth of knowledge. He said he is confident they will get up to speed.

Chairperson Hanover asked if there were any public comments.

There were no public comments.

5. PUBLIC HEARINGS:

A. City of St. Johns Master Plan and Parks Plan

Motion by Commissioner Hufnagel seconded by Commissioner Holden that the public hearing be opened.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

The public hearing was opened at 5:36 p.m.

Ethan Senti, McKenna, was present to give a quick overview of the plan.

He discussed:

- The purpose of the public hearing.
  - Present the draft of the Joint Master & Parks Plan.
  - Summarize the key plan process and components.
  - Receive final public comments.
  - Allow Planning Commission to provide feedback.
- Timeline & process
  - Background
    - The process began approximately a year ago.
    - Meetings with staff, planning commission, city commission and downtown development authority.
  - Public engagement
- Key elements
  - Introduction
  - Action Plan
  - Redevelopment and community character
  - Housing needs
  - Mobility plan
  - Parks and Recreation Plan
- Introduction
  - Master Plan Principles
  - Key Findings
  - Action Plan
- Public engagement and survey
- Redevelopment and community character
  - Future land use maps
    - Searles Estates
    - Townsend Road
    - North Downtown
  - Housing analysis
    - Biggest need is high-end housing.

        - Projected housing needs in 2024.
- Mobility plan
    - Walkability map
    - Corridor design plan
    - Non-motorized network
- Parks and Recreation Plan
    - Action items included in plan.
- Plan Implementation
- Next steps
    - Upcoming meetings.

City Manager Gamble said Director Schafer is here. He said Ethan provided a parallel path with both plans and asked if Parks and Recreation Director Schafer had anything to add regarding the 2026-2030 City of St. Johns Parks and Recreation 5-Year Master Plan.

Director Schafer discussed the action plan items that were taken out: Fantasy Forest, upgrading park facilities (fall zones). He discussed the depot area.

Mayor Dzurka asked at what level do you want comments and feedback? He said to McKenna, Chad and the team, this document has come a long way, and he was impressed with how far it has come.

City Manager Gamble said if there are any tweaks and comments on spelling, we want to take those. If changes don't structurally change the document, those would be welcome.

Chairperson Hanover asked if there were any public comments.

There were none.

Mayor Dzurka discussed:

- He said he didn't see a mention of Safe Routes to School.
- He was surprised by the continual use of the Bluewater Highway and said for consistency, we call it M-21 or State Street.
- Page 29, the tree program, we talk about planting trees but didn't catch that we do a tree assessment.
- The map on page 34 might need some explanation.
- Page 81, fix the Mint Festival location.
- He asked about survey results on page 188. He was curious about the methodology.

Ethan Senti discussed the public feedback section, page 184, and starting on page 195 there is further explanation of the more recent efforts.

City Manager Gamble discussed the surveys that were on website and Facebook and the robust effort for public comments.

Ethan said we could put the more recent survey results in front of that.

Chairperson Hanover discussed an appendix.

Motion by Commissioner Dzurka seconded by Commissioner Eshelman that the public hearing be closed.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

The public hearing was closed at 6:08 p.m.

B. Rezoning: 815, 817, 901, 905, 907, and 911 N. Lansing Street – MC to R-1

Motion by Commissioner Hufnagel seconded by Commissioner Eshelman that the public hearing be opened.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

The public hearing was opened at 6:09 p.m.

Jacob VanBoxel, McKenna, was present. He discussed the proposed rezoning for the properties on North Lansing Street. He discussed 823 N. Lansing, and we discovered other properties should be rezoned in accordance with the other single application. These are on the west side of North Lansing. MC to R-1. The public hearing notice went out November 2nd. He discussed the difference between MC and R-1; the review criteria; consistent with master plan; their review of the rezoning. He said they recommended the Planning Commission should recommend rezoning to the city commission.

There was a discussion of:

- The drawing provided.

Chairperson Hanover asked if anyone from audience had any comments.

Colleen Smith was present. She asked why it would be municipal in the first place.

Chairperson Hanover said she thinks it was when Gateway North school was built.

Ms. Smith asked if they would make the other people pay the $700.00 that they also paid. She said they still don't have assurances that they can build a house on it.

Chairperson Hanover explained that it takes a couple of readings of the ordinance for the city commission to approve.

City Manager Gamble said the ordinance will be at the December 8th meeting. He discussed the 20 days with an ordinance taking effect.

There was a discussion of the spot zoning discussion at the November 24th city commission meeting.

Motion by Commissioner Dzurka seconded by Commissioner Hufnagel that the public hearing be closed.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

The public hearing was closed at 6:18 p.m.

6. NEW BUSINESS:

A. City of St. Johns Master Plan and Parks Plan

There was a discussion about seeing a finalized version.

City Manager Gamble said this public hearing recommends the forwarding of both documents to the city commission. The December 8th meeting is for the Parks and Recreation Master Plan (2026-2030 City of St. Johns Parks and Recreation 5-Year Master Plan) to be approved. He discussed minor changes to the regular master plan document and said it will be circulated in January.

Motion by Commissioner Eshelman seconded by Commissioner Holden that the planning commission recommend the master plan to the city commission.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

B. Rezoning: 815, 817, 901, 905, 907, and 911 N. Lansing Street – MC to R-1

Motion by Commissioner Dzurka seconded by Commissioner Hufnagel that the planning commission recommend rezoning of the parcels to the city commission.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

C. Zoning Amendment Discussion: Sidewalk Requirement

Jacob VanBoxel, McKenna, discussed the section of the zoning ordinance regarding waivers of the sidewalk ordinance. He discussed key criteria of the waiver; volume of waiver requests coming in; revisit ordinance; and policy options.

Chairperson Hanover said she is a proponent of sidewalks. She said most waivers are not residential.

Commissioner Hufnagel said the Fred Motz units had an agreement for sidewalks only on one side; and discussed Galaxy Way.

Commissioner Eshelman discussed the new home on Sturgis Street and said the driveway request forced them to put in a sidewalk. He said it is a good strategy, but frustrating at times. Some routes may have to put in a bond issue.

There was a discussion of:

- Safe Routes to School.
- Sidewalks are done as the streets are re-done with the street millage.
- The ordinance language with the reasons a waiver can be approved.
- Different options presented by McKenna.
- The site plan review committee approving waivers.
- Sidewalks in the Industrial Park.
- Cost of sidewalk.
- What requires a site plan?
- Tied to size of the structure.
- Financial hardship.
- Put information in the packet next month regarding what triggers site plan review.
- The sidewalk map.
- Requiring sidewalk when a home is sold.
- Whether you need a sidewalk on both sides of the street.

7. OLD BUSINESS: None

8. COMMITTEE SITE PLAN APPROVALS: None

9. CITY COMMISSION UPDATE – MAYOR DZURKA:

Mayor Dzurka discussed: Todd resigned from the Planning Commission and recognized his service; welcomed two new members; Jimmy and Heather were reappointed; set our regular meeting dates for Planning Commission and ZBA; addressed the rezoning for N. Lansing property and the (3) unzoned industrial parcels.

10. COMMISSIONER COMMENTS

Commissioner Taylor said she learned a lot about sidewalks.

Commissioner Hufnagel welcomed Kelly. He said at the city commission meeting he discussed rehashing the feral cat ordinance and someone reaching out regarding the TNR (Trap-Neuter-Release) program and said he thinks there is merit to that. He feels we should be looking at allowing those programs to reduce feral cats.

Mayor Dzurka said he has seen activity at the former Save A Lot space.

City Manager Gamble said he has not heard anything specific from an economic development standpoint. He said he heard Jimmy John's is entering the final building approval phase and should be open hopefully tomorrow.

Commissioner Mills discussed the dates of the planning commission. Kudos to Chad on the "for sale" sign on the Townsend Road property. He said his takeaway on the master plan is people really want economic development. He discussed putting all city property up for sale.

Commissioner Eshelman discussed the parks and partnering with some organizations or service groups for some of the projects.

Chairperson Hanover said welcome to Kelly. She wished everyone a Merry Christmas and said the Santa Parade is on Friday.

11. ADJOURNMENT

Motion by Commissioner Dzurka seconded by Commissioner Taylor that the Planning Commission adjourn the meeting.
YEA: Hanover, Holden, Hufnagel, Mills, Dzurka, Harger, Eshelman, Taylor
NAY: None
Motion carried.

The meeting was adjourned at 7:05 p.m.

Appendix E – City Commission Resolution

CITY OF ST JOHNS
RESOLUTION #56-2025

RESOLUTION TO ADOPT THE 2026-2030 CITY OF ST JOHNS PARKS AND RECREATION FIVE YEAR MASTER PLAN

At a regular meeting of the City Commission of the City of St. Johns, Clinton County Michigan, at 6:00 p.m., local time, on the 8th day of December, 2025;

Present: Eric Hufnagel, Brad Gurski, Scott Dzurka, Chris Hyzer, Chris DeLiso

Absent: None

The following resolution was offered by Commissioner Hyzer and supported by Commissioner Gurski.

WHEREAS, the City of St. Johns has undertaken a planning process to determine the parks and recreation needs and desires of its residents during a five-year period covering the years 2026 through 2030; and

WHEREAS, the City of St Johns began the process of developing a community parks and recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the City of St Johns were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days for plan, and

WHEREAS, a public hearing was held on December 3, 2025, at a City of St Johns Planning Commission regular meeting to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the City of St Johns 2026-2030 Five-Year Parks and Recreation Master Plan, and

WHEREAS, the City of St Johns has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City of St Johns, and

WHEREAS, after the public hearing, the St Johns City Commission voted to adopt said City of St Johns 2026-2030 Five-Year Parks and Recreation Master Plan

.

NOW, THEREFORE BE IT RESOLVED the City Commission of St Johns hereby adopts the City of St Johns 2026-2025 Five-Year Parks and Recreation Master Plan.

YEA: Hufnagel, Gurski, Dzurka, Hyzer, DeLiso

NAY: None

Resolution declared adopted.

STATE OF MICHIGAN

COUNTY OF CLINTON

This is to certify that the foregoing is a true and complete copy of action taken by the City Commission of the City of St. Johns City at a regular meeting held on December 8, 2025.

Mindy J. Seavey, City Clerk



Appendix F - Grant History

Project No. **26-00267**
Clinton
Project County:
Project Year: 1972

Project title: St. Johns City Park

Project Status: Grant Closed
Grant Amount: $39,000.00

Scope Item

Project Description: Acquire 14.2 acres of land and develop a total of 65.2 acres for a shelter, tennis courts, toilet facilities and site improvement

---

Project No. **26-01023 Q3**
Clinton
Project County:
Project Year: 1977

Project title: Main Park Restrooms (City Park)

Project Status: Grant Closed
Grant Amount: $10,073.00

Scope Item

Project Description:

Project No. **26-01060 W**
Clinton
Project County:
Project Year: 1978

Project title: Northside Tennis Courts

Project Status: Grant Closed
Grant Amount: $12,790.87

Scope Item

Project Description: 2 tennis courts, basketball, shuffleboards, LWCF sign.

Project No. **BF89-359**
Clinton
Project County:
Project Year: 1989

Project title: Veteran's Memorial Swimming Pool Renovation

Project Status: Grant Closed
Grant Amount: $215,000.00

Scope Item

Alterations for Handicap

Electrical work

Mechanical work

Pool restoration

Structural remodeling

Project Description: Renovation of swimming pool, including electrical, mechanical and piping work and of the bathhouse, including reroofing and alterations for the handicapped. (Located at City Park)

Project No.	**26-01670**	**Project County:**	**Project Year: 2006**
	Clinton		

Project title: Kibbee Street Park and Jaycee Park Renovations

	Project Status: Grant Closed	**Grant Amount:** $63,700.00

Scope Item

Access routes - sidewalks

Fence

LWCF plaque

Parking lot

Playground equipment

Safety sign

Site preparation

Project Description: Development to include new playground equipment in two neighborhood parks.

Project No.	**TF09-169**	**Project County:**	**Project Year: 2009**
	Clinton		

Project title: St. Johns Trailside Parkway Acquisition

	Project Status: Grant Closed	**Grant Amount:** $106,900.00

Scope Item

Project Description: Acquisition of 0.7 acres of land located adjacent to the future Clinton-Ionia-Shiawassee rail trail for a trailhead.

Project No.	**26-01741**	**Project County:**	**Project Year: 2014**
	Clinton		

Project title: St. Johns Trailside Parkway Development Grant

	Project Status: Grant Closed	**Grant Amount:** $92,300.00

Scope Item

Bike Rack

Wireless Security Camera

Lighting

Pathway - 6' - 8' wide

Picnic Equipment: Bench

Picnic Equipment: Table

Restroom Building

Signage

Project Description: To develop land adjacent to the Fred Meijer CIS Trail and the City's downtown as trail access and green space. Project will include construction of universally accessible restrooms, sidewalks, tables, benches, an information center and off-street parking.

Project No. **TF14-0109** **Project County:** **Clinton** **Project Year: 2014**

Project title: City Park Improvements

Project Status: Grant Closed **Grant Amount:** $50,000.00

Scope Item

Access Path - minimum 5'

Dugouts

Disc Golf Course

Shade Structures

Fence

Project Description: This project will provide shade structures to the newly built spray park, increase accessibility to the spray park and Main softball field with additional access routes. It will improve the disc golf course and the softball field with the addition of accessible dugouts.

Project No. **TF16-0159** **Project County:** **Clinton** **Project Year: 2016**

Project title: Veterans Memorial Bathhouse Renovation

Project Status: Grant Closed **Grant Amount:** $96,700.00

Scope Item

Project Description: Development to renovate a 50+ year old bathhouse that will be used as an accessory structure to the newly opened St. Johns Community Spray Park. The renovation will include addition of two accessible family changing rooms, electrical and plumbing upgrades, new roof, windows and updated toilets.

Project No. **TF21-0145** **Project County:** **Clinton** **Project Year: 2021**

Project title: Scott Road Multi-Use Trail Connector

Project Status: Grant Closed

Grant Amount: $155,500.00

Scope Item

Bench(es)

Landscaping

Rain Garden with Native Plants

Trail 8' wide or more

Project Description: Development to connect two non-motorized trails and enable trail users' access to the city's Main Park from the Fred Meijer CIS Trail. The new trail will connect the Townsend Road Multi-Use Trail to the new route alongside Scott Road from the Fred Meijer CIS to the corner of Scott and Sturgis Streets.

Project No. **TF21-0149**

Project County: **Clinton**

Project Year: 2021

Project title: Main City Park Improvements

Project Status: GC Amendment Approval

Grant Amount: $49,900.00

Scope Item

Access Pathway 6' wide or more

Bench(es)

Bleacher(s)

Drinking Fountain(s)

Paved Parking Lot

Volleyball Court

Project Description: Development of Main City Park to increase accessibility to the Rotary Pavilion, ice rink and sand volleyball through the addition of paved parking, sidewalks, and accessible seating areas. The project will also renovate the sand volleyball court.

Total number of projects: 11

Total Amount of Grant Given $891,863.87

Appendix G – Letter to County Planning Board

Scott Dzurka
Mayor

Brad Gurski
Vice Mayor

Eric Hufnagel
Commissioner

Chris Hyzer
Commissioner

Chris DeLiso
Commissioner

THE CITY OF ST. JOHNS

Chad A. Gamble, P.E.
City Manager

Mindy J. Seavey
City Clerk

Kristina Kinde
City Treasurer

Michael Homier
City Attorney

Justin Smith
Director of Public Services

December 29,2025

Clinton County Planning Commission
100 East State Street
St. Johns, MI 48879

Dear Sir or Madam:

Enclosed you will find a copy of the "City of St. Johns Five Year Parks and Recreation Plan, 2026-2030" for your files. The plan was adopted by the City of St. Johns City Commission on January 11, 2021. The plan has been submitted to the Michigan Department of Natural Resources for their final approval.

If you have any questions regarding this letter, please contact my office at (989) 224-8944 ext. 227.

Sincerely,

William Schafer
Parks and Recreation Director
bschafer@stjohnsmi.gov
City of St. Johns
100 E. State Street Suite 1100
P.O. Box 477
St Johns, MI 48879

100 East State Street, Suite 1100, PO Box 477, St. Johns, MI 48879
Ph: (989) 224-8944 Fax: (989) 224-2204
Email: csj@stjohnsmi.gov

Appendix H – Letter to Regional Planning Commission

Scott Dzurka
Mayor

Brad Gurski
Vice Mayor

Eric Hufnagel
Commissioner

Chris Hyzer
Commissioner

Chris DeLiso
Commissioner

THE CITY OF ST. JOHNS

Chad A. Gamble, P.E.
City Manager

Mindy J. Seavey
City Clerk

Kristina Kinde
City Treasurer

Michael Homier
City Attorney

Justin Smith
Director of Public Services

December 29, 2025

Tri-County Regional Planning Commission
3135 Pine Tree Rd #2C
Lansing, MI 48911

Dear Sir or Madam:

Enclosed you will find a copy of the "City of St. Johns Five Year Parks and Recreation Plan, 2026-2030" for your files. The plan was adopted by the City of St. Johns City Commission on December 8, 2025. The plan has been submitted to the Michigan Department of Natural Resources for their final approval.

If you have any questions regarding this letter, please contact my office at (989) 224-8944 ext. 227.

Sincerely,

William Schafer
Parks and Recreation Director
bschafer@stjohnsmi.gov
City of St. Johns
100 E. State Street Suite 1100
P.O. Box 477
St Johns, MI 48879

100 East State Street, Suite 1100, PO Box 477, St. Johns, MI 48879
Ph: (989) 224-8944 Fax: (989) 224-2204
Email: csj@stjohnsmi.gov

January 29, 2026

Subject: Notice of Adoption of the City of St. Johns Master Plan

To Whom It May Concern,

At its January 26, 2026 meeting, the St. Johns City Commission formally adopted the joint Master Plan and Parks & Recreation Plan.

The adopted plan is available on the City of St. Johns website; a physical copy is also available for review at the City of St. Johns offices at the Clinton County Courthouse, 100 E State St #1100, St. Johns, MI 48879.

Consistent with Michigan Public Act 33 of 2008, as amended (the Michigan Planning Enabling Act), the City of St. Johns Planning Commission is providing this notice.

Respectfully submitted,



Chris Khorey, AICP
Contract Planner

Village of Westphalia

Five-Year Parks and Recreation Plan

2026-2030

Adopted: January 5, 2026



Village of Westphalia

Clinton County, Michigan

PREPARED FOR

Village of Westphalia

200 Willow Street
Westphalia, MI 48894
(989) 587-4434

https://www.westphaliami.com

Village Council

President	Tim Fandel
Clerk	Dave Boswell
Treasurer	Jamie Smith
Trustee	Tanner Droste
Trustee	Kevin Krzeminski
Trustee	Bernie Lehman
Trustee	Steve Miller
Trustee	Bill Schmitt
Trustee	Phil Smith

Parks and Recreation Department

Village Trustee	Bill Schmitt
Village Trustee	Tanner Droste
Planning Commission	Brett Thelen
Township Supervisor	Jon Thelen
Village Resident	Nate Thelen
Village Resident	Donna Wirth
Village Resident	Deb Stump

Plan prepared with assistance from:

FLEIS&VANDENBRINK
DESIGN. BUILD. OPERATE.

2960 Lucerne Drive SE
Grand Rapids MI 49546
p: 616.977.1000; f: 616.977.1005
www.fveng.com

Offices in Michigan & Indiana

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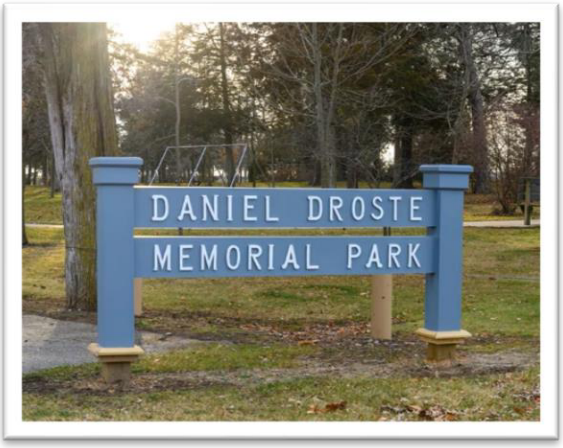
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F. Transmittal of Plan to County and Regional Planning Agencies

INTRODUCTION

The Village of Westphalia Parks and Recreation Committee and Village Council have recognized a need for improving the community's parks and recreation options and promoting the Village as a quality sustainable place to live and play. This stems from the growing trends in recreation and the desire to be active, healthy, and conscious of the environment regardless of age, abilities, or disabilities. A comprehensive and sustainable parks and recreation system is vital to a community's physical and mental health, social interaction, protection of natural resources, and economic growth.



As part of this effort, they have chosen to develop a new Five-Year Parks and Recreation Plan. This document is intended to serve as a planning tool over the next 5 years for the Committee and Village Officials to make decisions related to future park and recreation amenities and improvements. It identifies attainable goals and objectives as well as an action plan that can then be used to focus on key areas for more specific design and budgetary purposes. It has been created under the guidelines established by the Michigan Department of Natural Resources Grants Management.

This plan begins with a **community description** to better understand the landscape and demographics of the Village of Westphalia. The **administrative structure** is then outlined which describes the governmental and jurisdictional methods by which future decisions will be made. This is followed by the existing **recreation inventory** which describes all existing Village owned parks as well as other local and regional recreation opportunities. This section is followed by a description of the **planning and public input process,** public notifications, and survey which were used in determining where improvements are needed. This is followed with a series of **goals and objectives** that were established using recommended planning methods. The goals and objectives are followed by an **action program** describing recommended improvements and potential projects in the form of narratives, charts, and maps. And lastly, the **appendix** holds the support documentation of the survey, public notices, and local adoption which includes minutes and resolutions by the approving bodies.

Community Description

History

The history of Westphalia, Michigan, is long and rich, and is one that is difficult to summarize in just a few pages. The following description does not include all of the village history, but instead highlights interesting points in its history, such as the emigration of the first German Catholic settlers and their establishment of a church in Westphalia.

Information is gratefully taken with permission from *Of Pilgrimage, Prayer, and Promise* produced by the Westphalia Historical Society, *Westphalia Area History*, and from *Sisters of Christian Charity revised* edition 1999.

First Settlers

The first settlers of Westphalia arrived in the port of New York on October 3rd, 1836, aboard the Leontine from their long journey which began in the port of Bremen, Germany. Even before the emigrants sailed from Bremen, they had to travel there by land from their home in Sauerland in the western part of Germany. These first few settlers were Father Anton Kopp, Westphalia St. Mary's pioneering priest, and the Eberhard Platte family. By way of the Erie Canal, they landed in Detroit on the 25th of that same month.

Taking the advice of Father Martin Kundig of St. Mary's Parish in Detroit, Father Anton Kopp and Eberhard Platte set out on foot for the newly established land office in the town of Ionia. These two men traveled on foot to Ionia by Dexter Trail, passing through present day cities and towns such as, Ann Arbor, Dexter, Chelsea, Stockbridge, Mason, Lansing, and DeWitt. After arriving at the office on November 4th and waiting six days, they finally made a purchase of 560 acres which would one day become the home of St. Mary's Parish.

Meanwhile, five men, Anton Cordes, Joseph Platte, John Hanses, William Tillmann and John Salter, were waiting in Lyons for Father Anton Kopp and Eberhard Platte. These five had also made their way along the Dexter Trail from Detroit, while the rest of their families stayed in Detroit. A hired trapper and trading post operator guided the settlers to their landholdings. The pioneers named the settlement Westphalia in memory of their German homeland. Work began immediately to pave the wilderness into arable land. More than 300 families immigrated to Westphalia from then until 1923.

Emigrants to Westphalia came from almost every state of present-day western Germany. Early settlers came from Bavaria and the Sauerland, but later settlers came from all over Germany, as well as Poland, Austria, Czechoslovakia, and Ireland. Most were from the middle-class who had acquired a trade of some sort, such as blacksmithing, masonry, carpentry, or shoemaking.

The first wave of emigrants, who arrived in 1836-1860, did not flee from religious persecution. They were escaping the depressing feudal like political system. After the overthrow of Napoleon in 1815, the great powers of Europe rearranged the map of Europe, and the Rhineland area in Germany became part of Prussia. The Germans struggled under this feudal like political system and longed for peace and order that was not fulfilled by this map rearranging. Later emigrants, from 1871-1885, came to America to escape the religious persecution of Catholics in Germany.

The valley of the Grand River where Westphalia is located was considered at that time worthless by the land speculators. But the settlers knew that the swampy and heavily forested land was a sign of good soil. And they were correct, as Westphalia is a thriving farming community to this day.

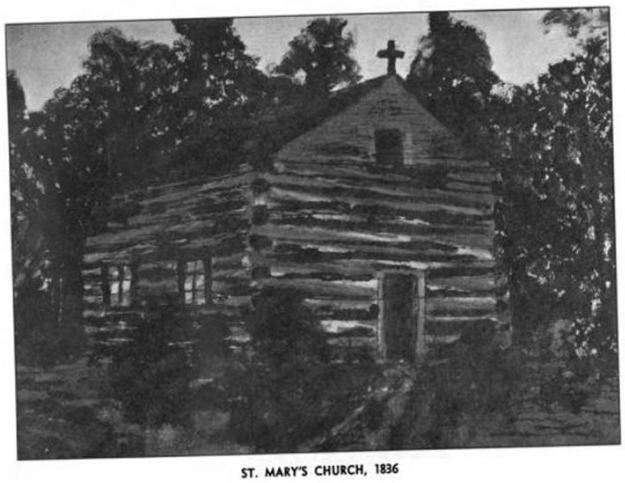
The German Catholic parish was established almost immediately after the settlers first arrived. After buying the land at Ionia, Father Anton Kopp traveled back to Detroit. On November 19th, the day after he arrived back in Detroit, Father Anton Kopp visited Bishop Friedrich Reese and was assigned the new German parish. This appointment has great significance, "It was the beginning of the rural



Catholic Church in Michigan," wrote Father Kopp in his journal. Father Anton Kopp returned back to his assigned parish in September of 1837 and celebrated Masses in the homes of the settlers. In March of 1838 a two-room log house, that served as the first church as well, was completed. Father Anton Kopp stayed with his parish for five years, until he left for his new assignment at St. Mary's in Detroit.

The Churches of Westphalia

Early records reveal that one of the first buildings to be erected in what is now the Village of Westphalia was a log church. It was located about one-half mile west of the present rectory. The location may seem peculiar at the present time, but it must be remembered that there were no roads at that time, and the site upon which our village now stands was dotted with swampy places. The first settlers therefore chose higher ground upon which to build the first church. This church was constructed of logs and contained two rooms. One of these rooms was used as a chapel. The other was used as a living room by the pioneer priest of Westphalia.



ST. MARY'S CHURCH, 1836

Page 4 WESTPHALIA CENTENNIAL

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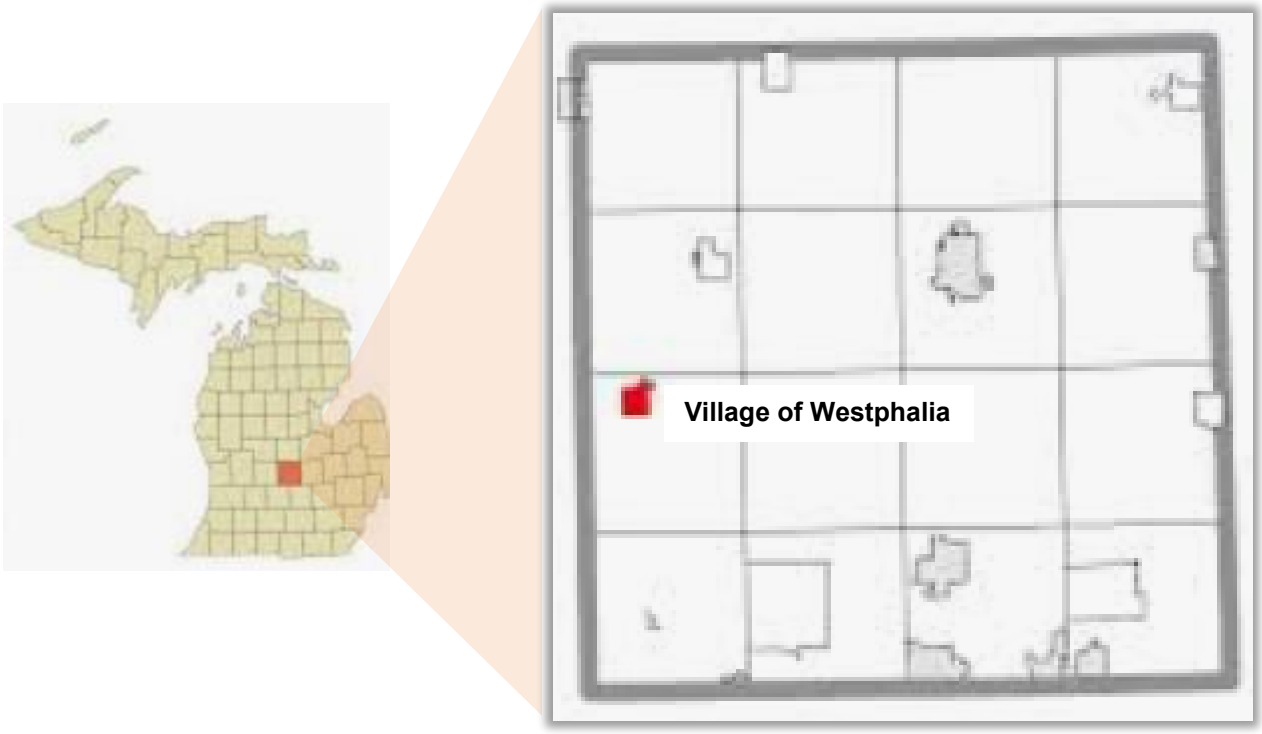
Within several years, more settlers came and the village spread in an easterly direction. The first log church was followed by a larger frame structure in 1847. Known as St. Peter's Church, that structure was replaced in 1869 with a church constructed of brick from Westphalia's brickyard and black walnut from its forests. The new church dedicated as St. Mary's Church served the parish until it was destroyed by fire in 1959. The present church, erected on the site of the original log church was dedicated on May 28, 1962.

Village of Westphalia

The Village of Westphalia was incorporated in 1882. In 1934 the first village street was paved. In 1951 a municipal water system was built. In 1970 construction was started on a sanitary sewer system to serve the entire village. A planning and zoning commission was formed in 1973 to initiate a program of planning for future growth. The zoning ordinance was adopted by the Village Council on May 19, 1975, and became effective on June 8, 1975. In 1976 most of the Village’s unpaved streets were paved. In 1986 the Village purchased land for a water storage tower where construction of the tower was completed in 1987. The Village continues to re-build storm sewers, resurface streets, and install new water and sewer lines to accommodate development.

Geography

The Village of Westphalia is located at the junction of Grange Road and Price Road, in Westphalia Township along the western edge of Clinton County, MI. It is approximately 25 miles northwest of Lansing, Michigan. The Village is conveniently accessed from I-96, approximately 8 miles north of exit 84. According to the United States Census Bureau, the Village has a total area of 1.1 square miles (2.8 km^2). The latitude of Westphalia is 42.929N. The longitude is -84.798W. The elevation of Westphalia is 761 feet above sea level. The USGS Topographic Quadrangle Map of Westphalia is included in Appendix.



Clinton County

Map 1 – Village of Westphalia Location

Physical Characteristics

Climate

The Village of Westphalia's weather, like all of West Michigan's, influences the recreational opportunities available throughout the year. The area can support a variety of activities throughout the year from swimming to skiing. Generally, January is the coldest month (27.1°F average daily temperature). December has the highest snowfall (2.05 inches). July is generally the warmest month (79.2°F average daily temperature). May usually has the highest average rainfall (1.77 inches) with February and November tying for the lowest average (0.63 inches). Prevailing winds are from the west.

Demographics

Understanding the characteristics of the population served is essential when assessing parks, recreation facilities, and community needs. According to 2023 American Community Survey by the Census Bureau, the population of the Village of Westphalia was 890, consisting of 442 (48.3%) males and 448 (51.7%) females. The population is predominately White (Non-Hispanic), with less than 5% of persons being of other races. The median age of the residents was 35.4 years. An overview of demographic data is provided in Table 1.

	Village of Westphalia	Clinton County	Michigan
Population, 2025	890	79,720	10,037,261
% of Population 65 & older	11.2%	7.4%	8.6%
% of population under 19	16.1%	12.2%	12.3%
Median Age	35.4	42.5	40.5
Median Household Income, 2023	$74,750	$92,503	$69,183
Per Capita Income	$36,013	$45,593	$38,952
Average Household Size	2.5	2.5	2.4
Persons Below Poverty Line	3.5%	6.7%	13.5$
Median Housing Value	$225,700	$276,500	236,100
Poverty Rate, 2023	3.5%	4.9%	13.05%

Table 1 – Village, County, and State Demographic Comparison
(Source: American Community Survey 2023)

Median Age

While the overall population is the most important consideration, there are other characteristics to consider when planning for a community's recreation. The age distribution of a community influences the types of facilities and programs needed. Table 1 shows that the Village's median age (35.4) is lower than the County and the State of Michigan average. This would indicate that the Village has a younger age base than the rest of the county due to a higher percentage of persons in the 18 and under age groups. It is important to note that the youth population in the Village of Westphalia represents just under one third of the total residents. Access to recreational opportunities (both structured and unstructured) offers valuable benefits for young people, including physical activity, social interaction, and educational development. The remaining population is relatively evenly spread out from ages 30 to 80+. Parks have the power to foster connections across multiple generations and diverse demographic groups. They serve as gathering spaces, offer opportunities for physical activity, encourage community involvement, and enhance the overall quality of life in a community.

Household Size

The size of families in Westphalia follows the Clinton County and Michigan trend for smaller households. The general trend toward smaller household size may be due to many factors including end of the baby boomer generation, divorce, widowed older persons and young people waiting longer to get married.

Physically Challenged

The disability status of a population may be especially significant when considering recreational needs for a community. With approximately 15% (2023 American Community Survey) of the total Village of Westphalia population affected by some form of disability, these individuals may have difficulty participating in recreational programs, accessing facilities or even getting to designated public areas. Understanding the disability status of the Village's population may assist decision-makers in determining adequate programs and appropriate locations for recreational activities. With the passage of the Americans with Disabilities Act of 1990 (ADA), all areas of public service and accommodation became subject to barrier-free requirements, including parks and recreation facilities and programs.

Administrative Structure

Administration

The Village Council has 7 members including the President and the President Pro-Tem. Councilmembers are elected to four-year terms that are staggered every two years. The President is elected every two years. The Village Clerk and the Department of Public Works (DPW) Supervisor are responsible for the day-to-day operations of the Village. The Council adopts and amends Village ordinances, determines Village policies and standards, and authorizes the annual Village budget. The Council also approves contracts and agreements, determines Village tax millage rates, determines utility rates, directs the Village President.

Also part of the Village's team are the Clerk, Treasurer, and Department of Public Works Supervisor and Staff. Day-to-day operation and maintenance of the Village parks lies with the Department of Public Works staff. The same staff is also responsible for the Village streets and sidewalks. The Village of Westphalia does not employ any Recreation Staff but relies on a strong volunteer base, including a Parks & Rec Committee, to oversee park operations and maintenance.

The below chart illustrates the relationship among the various entities involved in recreation within the City. The administrative structure is as follows:

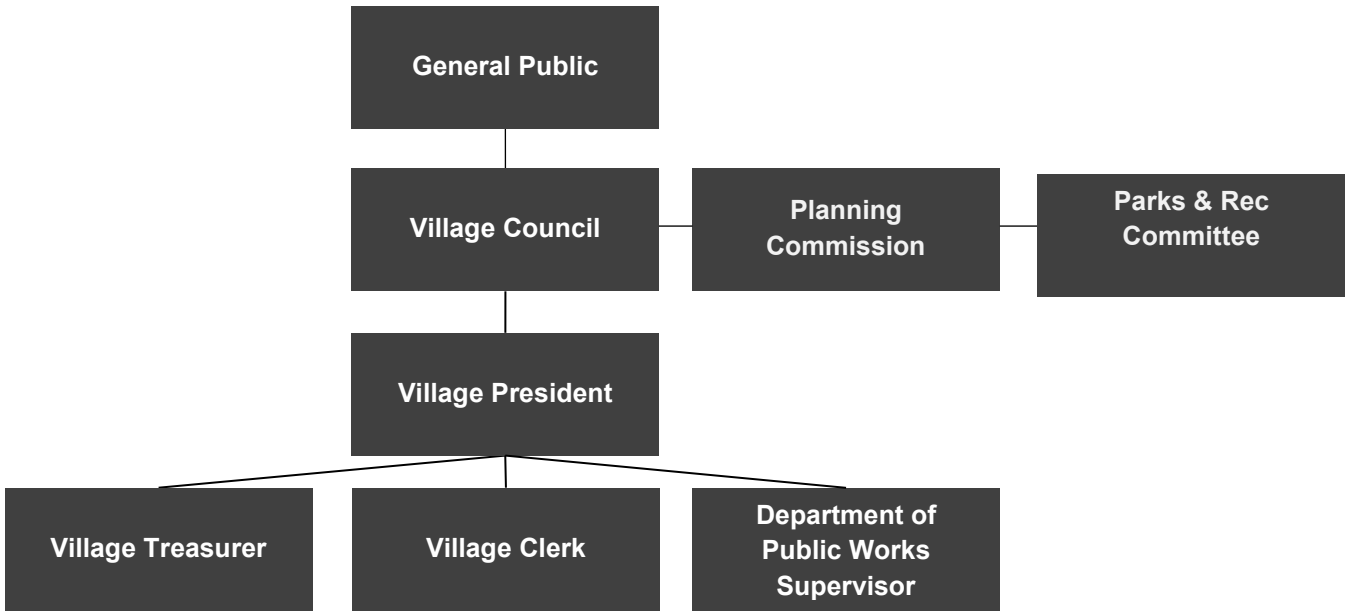


Figure 1 – Village of Westphalia Administrative Structure Chart

Parks and Recreation Committee and DPW Staff

The Parks and Recreation Committee, in collaboration with the Village Council and the Village Department of Public Works (DPW), is responsible for the operation and maintenance of Daniel Droste Memorial Park and corresponding recreational programs. Traditionally, the Parks and Recreation Committee is made up of 5 volunteer members. The Committee operates in an advisory capacity to the Village Council. Decisions and financing relative to park improvements, equipment acquisition and maintenance are ultimately a function of the Village Council.

Budget and Expenditures

The Parks and Recreation budget is established each year as part of the Village's annual budget and formation process. Typically, the Parks and Recreation Fund receives annual operating subsidies of approximately $800 from the Village of Westphalia General Fund, and approximately $5,500 from Westphalia Township. Revenues are estimated each year and included in the yearly Parks & Recreation budget. The Parks and Recreation Fund revenues fluctuate annually based on the amount of pavilion rentals and number of those participating in adult softball leagues. Due to this, the budget is adjusted from the estimate throughout the year based upon the actual amount of incoming revenue. The following table shows the previous three years of budget and expenditures for the Village of Westphalia's parks and recreation.

Parks & Recreation Budget and Expenditures		
Fiscal Year	**Budget**	**Expenditures**
2022-2023	$ 9,140	$ 11,415
2023-2024	$ 10,900	$ 9,865
2024-2025	$ 18,100	$ 12,815

Table 2 – Parks and Recreation Budget & Expenditures (numbers have been rounded to the nearest 5).

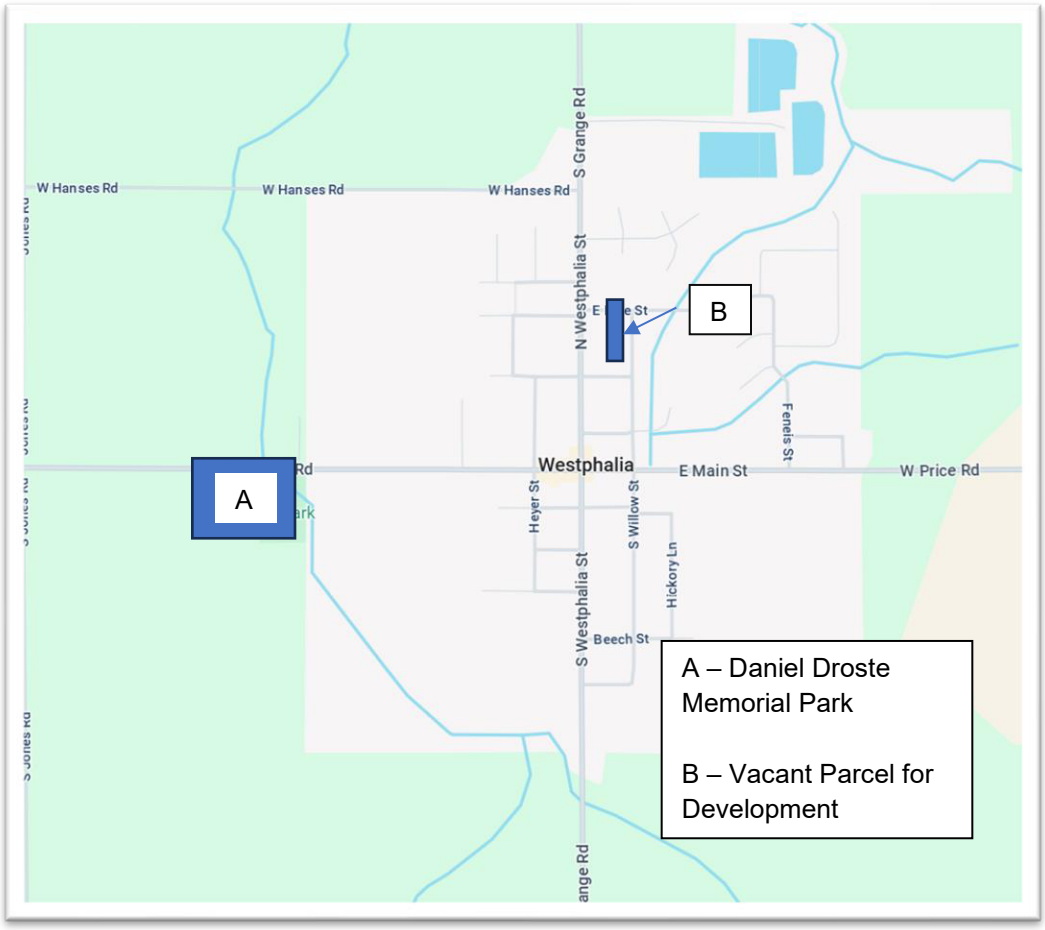
Recreational Inventory

An essential element of a recreation plan is the inventory of local and regional, public and private recreation facilities that are available to a community's resident. Such an inventory provides a basis from which a comparison can be made of existing recreation opportunities with the community's identified recreation needs. This inventory process also identifies barrier-free facilities. This will ensure that citizens with disabilities will fully enjoy these facilities. Involving advocate organizations and utilizing the knowledge of the Village staff will help facilitate this element of the inventory process. Further, this facility inventory establishes the foundation from which a recreational improvement program can be developed and implemented. The included map below shows the location of Village owned recreational facilities.

Village Recreational Facilities

The Village of Westphalia has limited recreational resources; there is one community park that exists within the Village limits that has a mix of amenities.

The following is a map of the Village's park facilities:



Daniel Droste Memorial Park

Much of the recreational activity in Westphalia centers around Daniel Droste Memorial Park. The land for the park was initially acquired and placed into operation by the Westphalia Jaycees. Upon abolishment of the Jaycees, the park was subsequently acquired by Westphalia Township. On April 25, 2000, the Village of Westphalia purchased the park property and associated buildings and equipment from Westphalia Township.

The Park is approximately 9.2 acres in size and is located on West Main Street at the western boundary of the Village limits. The park offers a softball field, horseshoe courts, a walking track, a band shell, playground equipment, picnic facilities, restrooms, barbecue area, three pavilions (which can be rented for family reunions and other activities), plenty of open green space and shady escapes. It's a great place to have a family gathering, watch a softball game, take the kids to play, read a book, or just relax and enjoy the serenity.

Vacant Parcel

Recently, an approximately one-acre parcel located on N. Willow Street was donated to the Village. The intended use for this parcel would be to turn it into another community park.



Daniel Droste Memorial Park	
Park Type*	CP
Service Area**	EA
Accessibility***	3
Acres/(Miles)	9
Activity Rooms	
Band Shell	X
Ball Diamond	X
Basketball	
Canoe Access	
Drinking Fountains	3
Fishing Access	
Fish Ladder	
Gazebo	
Grills	X
Gymnasium	
Horse Arena	
Ice Skating	
Inline Skating	
Multi-Purpose Field	X
Pavilion	3
Picnic Area	X
Playground	X
Pond/River	
Restroom	X
Sand Volleyball	
Sledding Hill	
Trails/Paths	X
Waterfront Access	







Park Type*
MP = Mini Park
NP = Neighborhood Park
CP = Community Park
LP = Large Urban Park
SU = Special Use Park
TRA = Trailway
NA = Not Applicable (undeveloped)

Service Area**
NB = Neighborhood (approx. ½ mile)
EA = Entire Westphalia Area
NA = Not Applicable (undeveloped)

Accessibility**
1 = None of the facilities/park areas meet accessibility guidelines
2 = Some of the facilities/park areas meet accessibility guidelines
3 = Most of the facilities/park areas meet accessibility guidelines
4 = The entire park meets accessibility guidelines
5 = The entire park was developed/renovated using the principals of universal design

School Recreational Facilities

In addition to the Village's Daniel Droste Memorial Park, there is a private school with recreation facilities located within the Village. They are briefly described as follows.

Private Schools

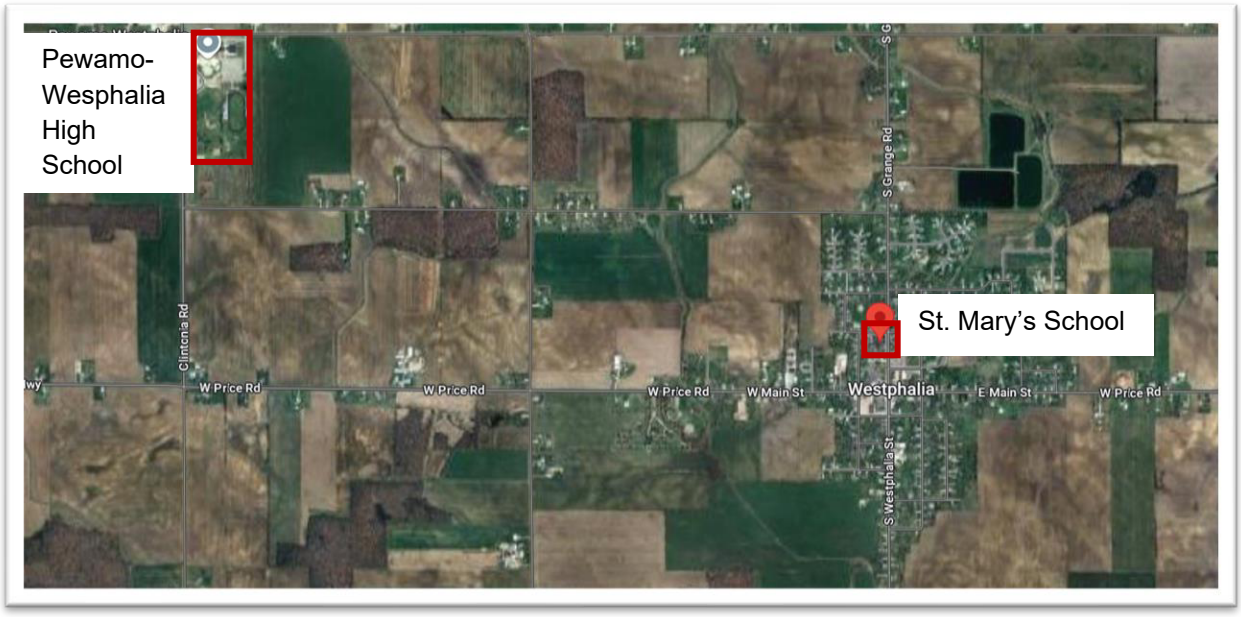
St. Mary School offers residents various recreational opportunities. Playground equipment, a basketball court, and sports fields that can be seasonally modified to accommodate youth baseball, softball and soccer are available.

School	Address	Grades	Enrollment	Facilities
St. Mary School	209 N Westphalia St. Westphalia, MI 48894	K through 6		Playground, baseball and softball fields, multi-purpose field, basketball court

Public Schools

The Village of Westphalia and neighboring Village of Pewamo have a combined school system. The elementary school is located in Pewamo while the middle and high school are on the northwest edge of Westphalia.

School	Address	Grades	Enrollment	Facilities
Pewamo-Westphalia Elementary School	430 W Jefferson St, Pewamo, MI 48873	Pre-K through 5	208	multi-purpose field, sport courts, playground
Pewamo-Westphalia Middle-High School	5101 Clintonia Rd, Westphalia, MI 48894	6 through 12	477	Baseball and softball fields, multi-purpose field, football field, track



Local & Regional Public Recreational Facilities

Village of Pewamo

Just northwest of Westphalia, Pewamo has two public parks. Sesquicentennial Park is a pocket park in the center of town with a walkway and benches. There is also Blossom Time Park that is nine acres of ball fields, multisport fields, tennis and pickleball courts, playground equipment, a restroom facility, and pavilions for gathering space.

Village of Fowler

The neighboring Village of Fowler has a small number of public parks. Fink Park contains softball/baseball diamonds, playground, and a pavilion and restrooms while Victor Street Park contains an ice rink and playground. The Field of Dreams includes playground and play equipment, picnic area and pavilion.

City of Portland

The City of Portland has a good mix of all types and sizes of park facilities ranging from mini-parks to Natural Resource Areas and Large Urban Parks. There are parks with many active sports amenities such as playgrounds, ball diamonds, and outdoor basketball courts and there are nature and wooded parks. There are fifteen developed park facilities with portions of four parks that are not totally developed at this time. Several of the parks are clustered together and connected by 8 and ½ miles of ADA accessible linear park which bisects the City and utilizes the Looking Glass and Grand Rivers as a focal point.

Willow Wood Golf Club

Located on the southeast edge of Portland, is golf course open to the public and available for private membership. It features 18 holes through hills and mature woodlands, a restaurant, and banquet facility.

Portland Country Club

This Country Club is a public golf course that sits on about 80 acres and offers an 18-hole course.

Fred Meijer Grand River Valley Rail-Trail

A segment of the Fred Meijer Trail is planned for that portion of the former Central Michigan Railroad that runs east to west through the southern portion of the City of Ionia. The trail is planned to extend to the City of Lowell to the west and to the Village of Muir to the east, eventually extending to the City of Owosso. Construction of the Ionia to Saranac portion of the trail began in 2012 and continues to develop.

Clinton County

Clinton County currently owns two areas of land: the 4-H Fairgrounds and Motz Park. Motz Park totals 42 acres in which there is a 17 acre lake that was formerly a gravel pit. This park features boating, swimming, fishing, and picnic areas. The 4-H Fairgrounds is predominantly a special use park and holds events.

Ionia County Bertha Brock Park

Bertha Brock Park is a 186 acre Ionia County park located two miles west of the City of Ionia on M-21. It is a regional park that serves Ionia County and surrounding areas. Bertha Brock Park offers a campground, camping cabins, rental lodges, play areas, picnic shelters, hiking trails, sledding hill, play structures, and various family oriented recreational activities.



Ionia State Recreation Area
This recreation area is located at 2880 West David Highway, southwest of the City of Ionia. This 4,085 acre facility located between Saranac and Ionia in Ionia County has 50 campsites and offers a variety of opportunities including picnic facilities, playground equipment, swimming, boating, a beach house, a boat launch, hunting, fishing, hiking, cross-country skiing, snowmobiling, mountain biking and horseback riding.

Maple River State Game Area
Located in Lebanon and Essex Townships, the area is managed for wildlife viewing and hunting as well as a wetland restoration project. There are over 4,700 acres of property in the area with over 11 miles of trails. The Maple River traverses the majority of the area and provides boating opportunities for canoes and other small boats as well as fishing. Various parking areas can be found throughout the area.

Portland State Game Area
Located in the very southwest tip of the county, a portion of the Portland State Game Area is found in Eagle Township. It provides opportunities for hunting, fishing and wildlife viewing as well as being used for non-motorized trail activities.

Sleepy Hollow State Park
Located in Victor Township, the property is owned by the Michigan Department of Natural Resources and encompasses over 2,600 acres of land. The South Maple Drain winds through the site and is the source of the 410 acre Lake Ovid. The park contains a modern campground, a primitive organization campground, three picnic areas, playground areas, a half-mile beach, 16 miles of non-motorized multi-use trails, a boat launch, fishing piers, and hunting during the appropriate seasons.

Rose Lake Wildlife Research Center
This area is owned by the Michigan Department of Natural Resources and located in Bath Township. It is comprised of over 3,500 acres of rolling hills, lakes and wetlands. The area is managed for wildlife research and wildlife associated recreation. It offers hunting and other outdoor recreation opportunities for people within several surrounding counties. The area has been developed with many parking areas, 15 miles of marked trails, skeet shooting, rifle ranges, youth group camping and is also a favorite place for non-motorized trail activities.

Clinton Trails County Park
This is an undeveloped 67-acre property located about a mile west of Riley Township Hall on Pratt Road. The park features amenities such as shore and paddle craft fishing (no gasoline motors) on a 7-acre lake, more miles of hiking trails, and nature watching and photography opportunities.

Local & Regional Private Recreational Facilities
There are several private facilities around Westphalia which include recreation amenities. While they do not provide public access, they are important in providing recreation opportunities. Some of these facilities are listed below.

Huckleberry Creek Golf Course
Located in Pewamo on N. Hubbardston Road, this is a scenic 18-hole golf course.

Alice Springs RV Park & Resort
Family owned and operated located on M-66 just south of downtown Ionia. Amenities include a 5-acre lake perfect for kayaking and fishing; RV sites and tent sites ranging from full hook-up to rustic, cozy cabins; pool & hot tub; playground, camp store, basketball, shuffleboard, horseshoes, and activities for the whole family.

Ionia Skateland
Indoor roller-skating rink located on Jefferson Road in Ionia.

Barrier Free Evaluation & Universal Design
The ultimate goal is to provide recreation opportunities that include everyone. With the passage of the Americans with Disabilities Act of 1990 (ADA), all areas of public service and accommodation are subject to barrier-free requirements, including parks and recreation facilities and programs. This planning process should include methods to ensure that the Village park and recreation system is accessible to persons with disabilities.

When looking at areas to determine their accessibility to all people, we started by asking these simple questions:

Can a person who has a sight or hearing disability, uses a wheelchair, uses a walking aid such as crutches or braces, has a mental disability that affects learning and understanding, safely and independently:

- *Get from the arrival place to the activity area?*
- *Do what others do in the area?*
- *Move around the area?*
- *How can this barrier be removed?*
- *If not, what is getting in the way?*

Universal Access Assessment
Another often overlooked category is Universal Access. This practice goes way beyond typical Americans with Disabilities Act (ADA) regulations to practice “common and equal experiences for all.” The goal of universal access is, throughout concept and design phases, to incorporate technology, materials and other considerations that promote equal opportunities for people of varied abilities. These concepts should be kept in the forefront as a prime consideration in the 5-year Master Plan and individual parks or projects as they develop and progress. A table of universal access design considerations by type of facility can be found in *Appendix B - Resources*

Common components that need to be looked at to answer these basic questions include: parking, paths of travel from parking, street or sidewalk to activity areas, the activity areas themselves, signage, support facilities such as restrooms, surfacing, and communications required for recreation programs and general use of a facility or area. The existing parks were evaluated on the following criteria and scored 1-5.

5 – Facility is fully accessible. Features and facilities meet and exceed the Uniform Building Code and take into consideration Universal Design principles. Main elements such as the washrooms, entrances, parking, and amenities are barrier free.

4 – Majority of the facility is accessible; however, there are some accessibility barriers. Some improvements are needed to make the facility fully accessible.

3 – Facility is partially accessible. Barriers exist to fully accessing the facility and an alternate facility may be necessary.

2 – Facility has limited accessibility. Multiple barriers exist to fully accessing the facility and an alternate facility may be necessary.

1 – Facility has poor accessibility. Accessibility barriers may exist at entranceway, recreation area

Droste Park's accessibility was accessed by Fleis & VandenBrink using the 2010 ADA Standards for Accessible Design as reference. The following is a chart with its respective accessibility ranking.

Summary of Park Accessibility

Daniel Droste Memorial Park	
Overall Rating	3
Accessibility	The park is generally barrier free, has ADA parking available, and restroom facilities meet accessible guidelines.

Recreational Programs & Events

Currently the Village Parks and Recreation Committee operates numerous adult men's and women's softball leagues. The Committee also administers rental of the three pavilions for various community and family outings.

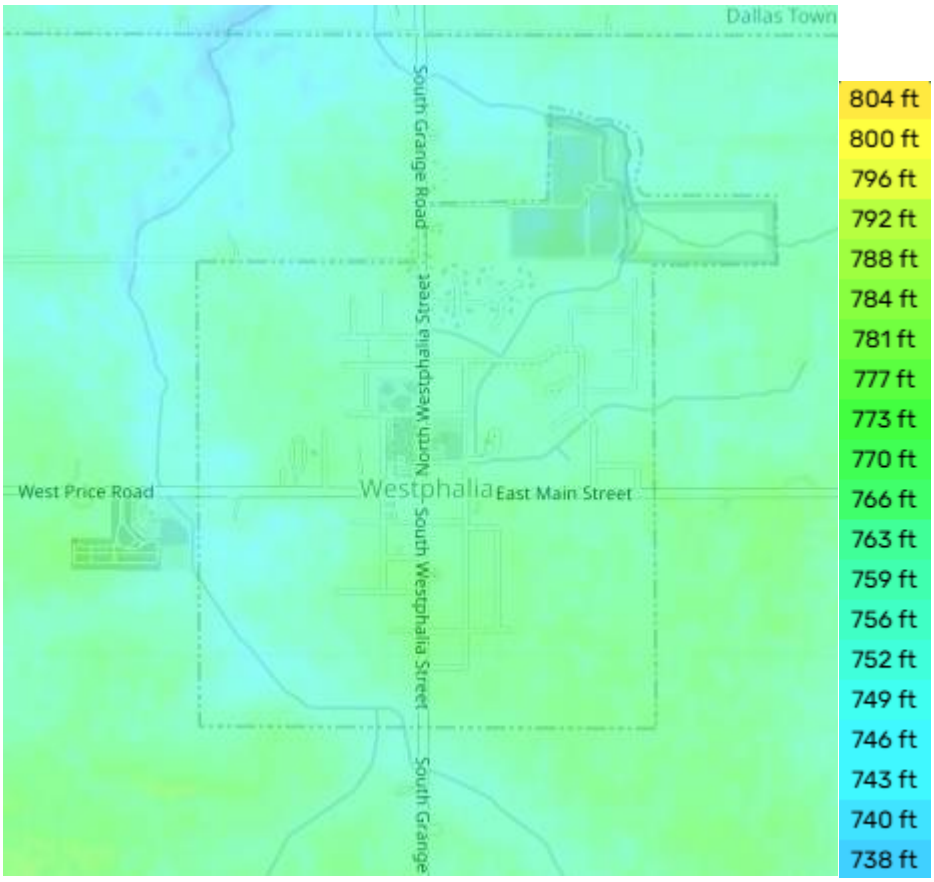
Past Grant Status

The Village has not obtained any State or Federal Grant Funds for its park and recreational facilities.

Natural Resource Inventory

Topography & Landforms

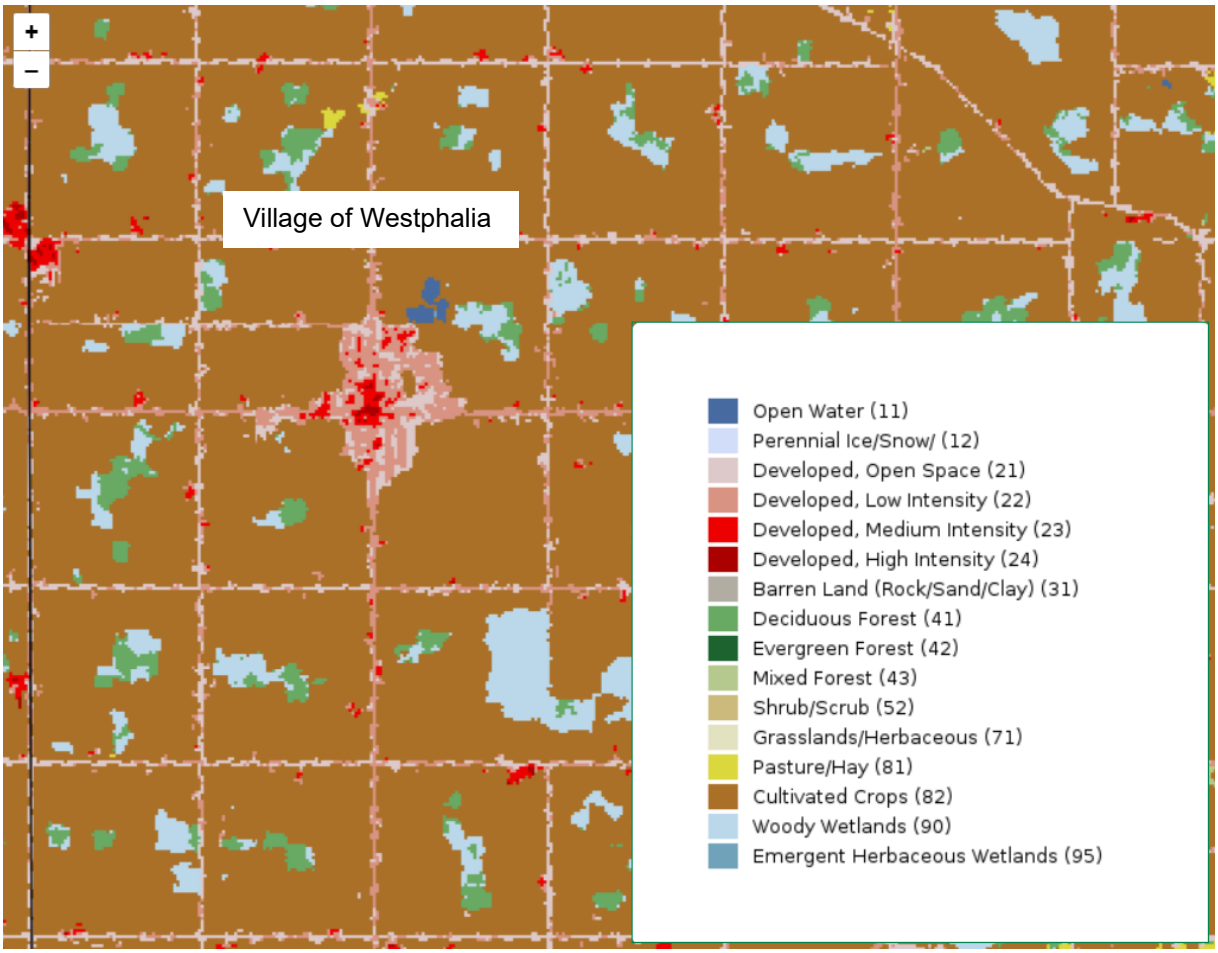
The slope of land plays an important role in determining the suitable use and development of property. Moderate slopes (10% - 25%) and areas of extreme slope (25% or more) may limit higher density developments from occurring. These limitations include a heightened risk of erosion and the difficulty in installing private septic systems. However, areas consisting of moderate and extreme slopes are sparse within the area. They are generally limited to the Kloeckner and Fuller Creek. Most of the region consists of fairly level terrain which presents little to no restrictions for future development.



Source: https://en-us.topographic-map.com

Woodlands

Originally, Michigan was covered with a dense forest of deciduous trees. As the area was cleared for farming and development, or the trees were removed for timber, the area's forests were replaced by farm fields, open field areas, orchards and smaller forested areas containing both deciduous and coniferous trees. Much of the Village's original vegetation has been replaced due to the land use patterns that typically develop within a densely populated community. Most of the natural vegetation in the Village is located along the floodway/floodplain corridors of the Kloeckner and Fuller Creek. These trees are largely both deciduous and coniferous.



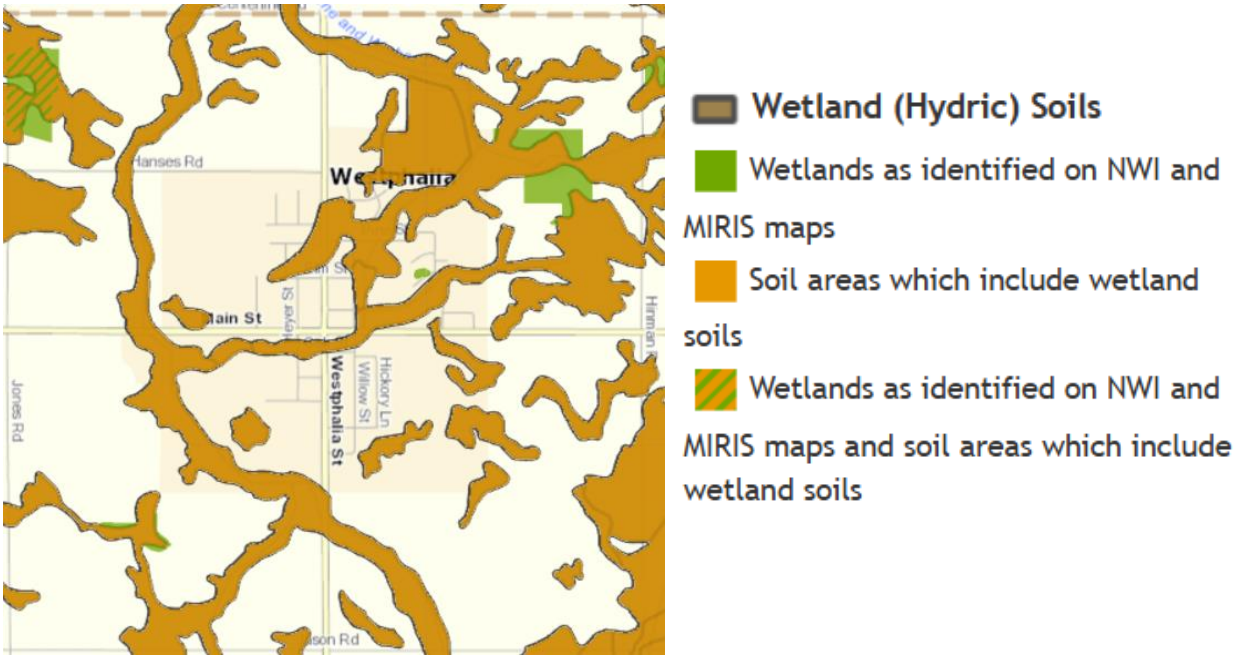
Source: EGLE Wetlands Map Viewer

Wetlands

The wetlands in the Village are similar to the County in that wetlands with associated woodlands that existed during the time of large expanses of pre-settlement wetlands have been reduced to small, scattered upland areas or wetlands associated with floodway/floodplain areas. Upland wetlands have been reduced due to filling, subsurface drainage and drain construction undertaken to improve agriculture.

The Wetlands Map shows wetland areas that serve to provide wildlife habitat, stormwater storage, water quality improvement, natural scenery and other benefits. Generally, these areas exhibit severe limitations for the use of individual waste disposal systems. A majority of the wetlands are located along the various water bodies such as rivers, creeks, streams, drainage ditches and other water bodies.

Hydric soils are also identified. These are soils that have formed in the presence of water for sustained periods. They can be used to help locate wetlands, especially those that have been disturbed or altered by fill or excavation. Hydric soils may be unsuitable for certain types of development and can be an indicator of high groundwater levels.



Source: EGLE Wetlands Map Viewer

Because Hydric Soils occur where the dry land meets the water, wetlands play a critical role in the management of our water-based resources. Acre for acre, wetlands produce more wildlife and plants than any other Michigan habitat type. Wetland species also comprise a critically important segment of these species.

Benefits of wetlands are many. Wetlands help:

- Reduce flooding by absorbing runoff from rain and melting snow and slowly releasing excess water into rivers and lakes - a one-acre swamp when flooded to a depth of one foot contains 330,000 gallons of water.
- Filter pollutants from surface runoff, trapping fertilizers, pesticides, sediments, and other contaminants and helping to break some of them down into less harmful substances, improving water clarity and quality.
- Recharge groundwater supplies when connected to underground aquifers.
- Contribute to natural nutrient and water cycles, and produce vital atmospheric gases, including oxygen.
- Provide commercial or recreational value to our human economy, by producing plants, game birds (ducks, geese) and fur bearing mammals - many fish are directly connected to wetlands, requiring shallow water areas for breeding, feeding and escaping from predators.
- Serve as nutrient traps that then enrich the larger body of water of which they are part when wetlands occur adjacent to inland lakes or streams.

The last century has seen a greatly increased rate of wetland loss due to filling and drainage by man. Prior to World War II, drainage to expand agricultural lands accounted for most of this loss. Recently, much wetland destruction has been caused by commercial, industrial, and residential expansion. The estimated 11 million acres of Michigan wetlands existing in pre settlement times has now been reduced to less than 3 million acres. Recent legislation has slowed the loss rate somewhat but threats to these habitats, particularly the smaller wetlands, continue in many areas.

Prior to park & recreation development, the Michigan Department of Natural Resources (MDNR) should be consulted to review the results of a wetlands determination. The impacts of development within wetland areas should be carefully considered, and a permit from the MDNR should always be obtained if regulated wetlands are to be impacted.

Fish and Wildlife

The area's wildlife is typical of that found in most of Lower Michigan. Common wildlife includes deer, raccoons, opossums, rabbits, muskrats, beavers, squirrels, rodents and other small mammals. The area is home to a variety of birds including owls, wild turkeys, pheasants and many others. The area is also a seasonal home to many migratory birds including ducks and Canada Geese.

With the Village of Westphalia being located on the Kloeckner and Fuller Creek, the wetlands here provide habitats for a variety of animals such as salamanders, raccoons, shrews, and frogs.



Description of Planning Process

In its continuing effort to provide quality recreational opportunities for Village residents and visitors, the Village of Westphalia Village Council authorized the development of the 2026-2030 Village of Westphalia Five Year Parks and Recreation Plan. The plan was directed by community volunteers in consultation with the Village Council and the Parks and Recreation Committee. The plan represents the culmination of efforts to establish recreational goals, objectives and action plans for the next five years. The plan will also enable the Village of Westphalia to apply for grants from the Michigan Department of Natural Resources to assist in reaching its recreational goals.

The Village of Westphalia engaged Fleis & VandenBrink to assist the Parks and Recreation Committee in developing this plan. Throughout 2025, Fleis & VandenBrink met with the committee and maintained regular communication to ensure the successful completion of the plan.

The first step in the development of the plan involved gathering and updating information about the Village of Westphalia and its recreational opportunities. Physical characteristics of the Village, demographic information about the community, and an inventory of existing park facilities helped to provide the base from which future recreation decisions will be made.

An analysis of data gathered from the Public Input Process helped identify and prioritize additional recreational opportunities. From the accumulated data, a draft of the plan was developed and presented to the Village Council prior to its November 3, 2025 meeting. Following a 30-day comment period, a public hearing was held by the Village Council on December 1, 2025. The plan was then approved by the Village Council on January 5, 2026. The plan was then transmitted to the Clinton County Planning Commission and the Tri-County Regional Planning Commission.

This plan reflects a prioritized list of improvements to existing facilities and the development of new facilities that best address the needs and desires of the citizens of Westphalia. Copies of the advertisement affidavits, the public hearing minutes, meeting minutes, and the resolutions, are included in Appendix of this plan.



Description of Public Input Process

The Village of Westphalia Planning Commission, Village Council, Village Clerk, and individual volunteers from the citizenry worked diligently to acquire and accumulate citizens' opinions for this plan. In early 2024, the Village of Westphalia and its Parks Committee began preliminary discussions on the future of Droste Park. These early conversations identified a need to gather public input before advancing any long-term planning or grant application efforts. The goal was to provide residents with an opportunity to share their opinions, priorities, and ideas regarding potential improvements to the park and its facilities.

Development of the Survey

To guide this effort, the Parks Committee drafted a community survey intended to collect meaningful and actionable feedback.

- The initial draft was developed collaboratively during a special committee meeting and refined through shared comments and edits using a Google Drive document.
- The resulting 6-question survey provided context about the park's history, past improvements, and the purpose of updating the Village's Parks and Recreation Plan.
- It included questions on current park usage, desired amenities or additions, demographic information, and open-ended space for additional feedback.

Draft versions of the survey were then presented to both the Village Planning Commission and the Village Council for review, feedback, and formal approval prior to distribution.

Distribution and Outreach

Following approval from the Parks Committee, the survey was made available in both paper and digital formats to ensure accessibility for all residents.

- A SurveyMonkey link and QR code were created to allow residents to complete the survey online.
- Printed copies were mailed to every household within the Village of Westphalia and Westphalia Township using address information provided by the township.
- Mailing preparation was handled by Parks Committee members, who assembled and labeled the envelopes for distribution.
- Surveys were mailed on April 20, 2024, with a response deadline of May 13, 2024.

Residents were able to submit completed paper surveys by returning them to the Village Office drop box which is available 24/7 or by mailing them back to the Village Office. The QR code to link to the online version of the survey was printed as part of the mailing and residents could choose to fill out the online form instead.

Opportunities for Discussion and Public Input

In addition to the survey, an open discussion opportunity was scheduled and held during the Planning Commission meeting on May 6, 2024, held at the Village Office. Community members were



encouraged to attend, ask questions, and share their thoughts directly with committee and council members. Several residents attended this session to provide in-person feedback.

Compilation and Analysis of Results

Survey responses submitted through SurveyMonkey were automatically compiled into a linked Google Sheets document. A total of 209 responses were returned, with 114 received through the digital form, 94 surveys submitted by paper via the drop box at the Village Office, and one survey returned by mail. All physical survey responses were entered manually into the same Google Sheets document to maintain a unified dataset.

Once the collection period ended, the combined data was analyzed and summarized. A PowerPoint presentation was created to visually communicate key findings, including charts, graphs, and tables summarizing resident feedback and priorities.

The survey and comments from the survey are included in *Appendix B, Survey & Results.* Highlights from the survey include:

Droste Memorial Park:

- 76% of respondents currently use Droste Park, with 41% of those respondents using the playground equipment the most
- The softball and baseball fields are the next most used with 24% of respondents
- Approximately half of individuals would like to see the addition of pickleball courts (103 responses)
- 43% of individuals believe that the restrooms need to be updated the most followed by playground equipment, buildings, and softball and baseball fields

Presentation and Public Availability of Results

The summarized results were presented to both the Planning Commission and the Village Council during the June 2024 meetings for review and discussion. To ensure transparency and continued community access, both the PowerPoint summary and the Google Sheets dataset (with personal identifiers removed) were made publicly available on the Village of Westphalia website. These resources remain accessible for residents and stakeholders interested in reviewing the survey results in detail.

Public Meetings

Finally, residents were provided one last opportunity to voice their opinion during a Public Hearing held by the Village Council on December 1, 2025. Prior to the Public Hearing the draft Recreation Plan was available for review in the Village Office from November 1, 2025 to November 30, 2025. Documentation supporting the public hearing can be found in *Appendices C and E.*

Goals and Objectives

In defining the action program, the formulation of community goals and objectives for the provision of recreation is a vital component. The goals and objectives represent the purposes for a community's role in providing recreation to its residents as well as outlining the direction that the community's effort should take in the long term. Goals are the general targets for which a community aims for while objectives are the specific steps that can be taken towards that goal.

The goals and objectives for the Village of Westphalia in meeting the recreational needs of residents are outlined below. The actions program that relate to each goal can be found in the next section.

Goal 1: Maintain existing recreational facilities throughout the village.

Objective

Maintain a balanced system of parks by having well-operated and maintained facilities. Conduct quarterly inspections of all recreational facilities and complete identified maintenance and repair tasks within 30 days of each inspection to ensure facilities remain safe, functional, and visually appealing throughout the year.

Goal 2: Strengthen safety and security at all the Village recreational facilities.

Objective

Within five years, upgrade security infrastructure at 100% of Village recreational facilities, including but not limited to lighting, cameras, and parking to provide safe environments for recreation.

Goal 3: Continue the improvement and development of Universal Design Concepts at all Village park locations in accordance with the park's development master plan.

Objective

Develop new and expanded facilities at the park including new restrooms, picnic facilities, paved parking, walking paths, new play equipment and lighting within the next 7 to 10 years.

Goal 4: Create new partnerships and collaboration in the community. Create community awareness of recreational opportunities and promote them to our local citizens as well as to visitors of the community.

Objective

Develop new community partnerships where possible to collaboratively promote and expand awareness of local parks and recreational programs. Implement cost-effective strategies to deliver diverse recreational opportunities, increasing community participation and improving visibility of available parks and programs among both residents and visitors.

Goal 5: Effectively manage the financial resources of the Parks Department through regular assessment, budgeting and revenue generation.

Objective

By the end of the next fiscal year, develop and implement a comprehensive financial management strategy that ensures all parks and recreation facilities remain up to date, financially stable, and accessible to everyone. Conduct quarterly budget reviews and cost analyses to improve fund



allocation efficiency, identify and secure a minimum of two new outside funding sources or grants, and implement cost-effective operational practices to reduce expenses. Support facility improvements and new construction efforts that meet community needs, while progressing toward national accreditation standards for excellence in parks and recreation management.

Goal 6: To continually improve the quality of and the opportunities for recreation in the Village by reassessing community recreation needs, trends, and characteristics.

Objective

Conduct a comprehensive assessment of community recreation needs, trends, and demographics every two years to guide program and facility planning. Actively engage Village residents through surveys, public meetings, and advisory committees to identify, prioritize, and develop new recreational opportunities and facility improvements that enhance the overall quality and accessibility of recreation within the Village.





Action Program

With goals and objectives in place, the Village of Westphalia Parks & Recreation Committee has developed an accompanying Action Plan. This is a tool that will enable the Village of Westphalia Community to move toward accomplishing their goals and objectives. The action plan is used to highlight the steps necessary to maintain and improve the quality and diversity of parks and recreation opportunities.

The following Table shows the potential actions for each goal from the previous section. The action list is not a fixed element, nor is it exhaustive. It reflects the results of the input received from the Village staff, the public hearing, and the online survey. Future circumstances, especially availability of funding, may influence the order in which the projects are completed. Projects that arise in relation to these actions do not currently have funding plans. Financing mechanisms for future projects can be found in *Appendix B – Resources.*

Table 3. 2026 – 2030 Actions
Goal 1: Maintain existing recreational facilities throughout the Village
Schedule regular quarterly inspections, to ensure all parks and facilities are neat in appearance and well-operated and maintained.
Coordinate and assist in planned events in public spaces, parks, and facilities.
Remove any existing physical barriers that limit the use of parks and facilities.
Prune, trim, and remove overgrown vegetation.
Lease recreational facilities to private organizations to operate when such a lease will significantly lower the Village costs while maintaining the level of service of the facilities to Village residents.
Goal 2: Strengthen safety and security at all the Village recreational facilities.
Remove all outdated and non-compliant play equipment from Village parks.
with the Village operations and neighborhoods to enhance security and use in parks by both organized private and public programs and activities.
Conduct playground safety audits for all playgrounds throughout the Village and start a program to address non-compliant issues on a regular basis until all playgrounds are compliant.
Continue to selectively prune, trim, and remove overgrown vegetation to open up views and provide natural surveillance of public gathering places.
Review current parking area and security lighting at the various park facilities and improve as necessary to alleviate safety concerns.
Research options for security camera systems at the various parks with input from the public safety department and residents.
Goal 3: Continue the improvement and development of Universal Design Concepts at all Village park locations in accordance with the park's development master plan.
Improve restroom facilities.
Install universally accessible play areas, picnic facilities and shelters.
Provide paved parking areas and trails to provide barrier-free access to all areas.
Provide additional non-motorized trails to better connect community destinations and areas.
Replace signage to accommodate for any visually or physically impaired park users.
Goal 4: Create new partnerships and collaboration in the community. Create community awareness of recreational opportunities and promote them to our local citizens as well as to visitors of the community.
Coordinate existing recreational projects and programs with Westphalia Township, Pewamo-Westphalia School District, St. Mary Parish & Elementary school, & local businesses.
Encourage the participation of volunteers and input in the development of recreational facilities.

Continue to seek out and work with other regional non-profit groups in helping to develop parks and programs.
Continue to communicate with the public whenever possible through various means such as but not limited to Social Media and Westphalia Village & Township Websites..
Goal 5: Effectively manage the financial resources of the Parks Department through regular assessment, budgeting and revenue generation.
Provide funding for capital development projects which allow the renovation of existing facilities and the development of new facilities that meet changing recreational needs and desires.
Maintain a level of restricted fund balance to ensure the availability of funds for cash flow, grant matches, and desired property acquisitions.
Strive for a degree of cost recovery that is designed to make the facilities and programs available to all residents.
Actively seek grants and other outside funding sources to support existing and new programs and facilities.
Frequently evaluate cost effective methods of service delivery, such as in-house, contracted, or collaborative to obtain the highest and best economic and qualitative value.
Complete the national accreditation process for Parks and Recreation Departments through the National Recreation and Parks Association.
Goal 6: To continually improve the quality of and the opportunities for recreation in the Village by reassessing community recreation needs, trends, and characteristics.
Update this Recreation Plan every 5 years.
Develop an expanded survey to ensure public needs and desires in areas of parks & recreation.
Expand and develop community park advocates through the ongoing efforts of the existing parks & recreation board.
Monitor the effectiveness of the Village efforts in fulfilling identified goals and objectives by providing opportunities for Village residents to evaluate the progress of recreational development.
Monitor the effectiveness of the Village efforts in providing fully accessible opportunities for Village residents.
Create mechanisms to maintain positive public relations.
Continue working with neighborhoods to build partnerships and create a sense of ownership at neighborhood parks.
Facilitate regular meetings of the Recreation Board.

Appendix A

Survey & Results

Early Public Input

Distribution and Outreach

Following approval from the Parks Committee, the survey was made available in both paper and digital formats to ensure accessibility for all residents.

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Opportunities for Discussion and Public Input

In addition to the survey, an open discussion opportunity was scheduled and held during the Planning Commission meeting on May 6, 2024, held at the Village Office. Community members were encouraged to attend, ask questions, and share their thoughts directly with committee and council members. Several residents attended this session to provide in-person feedback.

Presentation and Public Availability of Results

The summarized results were presented to both the Planning Commission and the Village Council during the June 2024 meetings for review and discussion. To ensure transparency and continued community access, both the PowerPoint summary and the Google Sheets dataset (with personal identifiers removed) were made publicly available on the Village of Westphalia website. These resources remain accessible for residents and stakeholders interested in reviewing the survey results in detail.

Public Meetings

Finally, residents were provided one last opportunity to voice their opinion during a Public Hearing held by the Village Council on December 1, 2025. Prior to the Public Hearing the draft Recreation Plan was available for review in the Village Office from November 1, 2025 to November 30, 2025. Documentation supporting the public hearing can be found in *Appendices C and E.*

VILLAGE OF WESTPHALIA
COUNCIL MEETING
June 3, 2024

The meeting of the Westphalia Village Council was called to order by President Tim Fandel at 7:00 p.m. and opened with the Pledge of Allegiance given to the flag.

Council Members in Attendance:

Tim Fandel, President	Kevin Krzeminski	Tanner Droste	Jim Pivarnik
David Boswell, Clerk	Bill Schmitt	Steve Miller	Phil Smith

Minutes & Agenda: Member Pivarnik made the motion, supported by Member Schmitt, to approve the minutes of the previous meeting as presented and the agenda for tonight's meeting, as presented. Motion carried.

Appointments: There were no appointments.

Guests: Guests in attendance included:

David Pohl, Clinton County Commissioner, provided Council with an update on activities at the County level, including:

- The Sheriff's office requested approval to use forfeiture funds and other non-budget sources to purchase new duty firearms for road patrol, court security, and corrections transport staff.
- The Board of Commissioners approved revised rental agreements for the 4-H Fairgrounds and the buildings of the property. Also, insurance requirements were updated.
- The Board of Commissioners approved the Parks and Greenspace recommendation to name the Pratt Road park property "Clinton Trails County Park."
- Renewed the agreement with Clinton Transit for Veterans Transportation for a 5-year term.
- An updated wind ordinance was adopted.
- The County received childcare funds and Greenhaven updates. At this time these are reasonably close to budget projections.

Nancy and John Bedenbender, area residents, attended to answer questions regarding their Application for Plot Plan Review (please refer to the paragraph on Building and Zoning).

Alex Hanses, DPW Supervisor

Water: DPW Supervisor Hanses provided the Council with an update on the water main improvement project. There is some disagreement between the Village and Nashville Construction regarding the completion of work on yard reconstruction. Representatives of the Village, Nashville Construction and Fleis & Vandenbrink recently did a "walk through" and visual review of properties that needed additional work. The Village has since provided Nashville Construction with a letter regarding work still to be completed. In the event that work is not completed in an acceptable manner, the Village can withhold payment to Nashville Construction for that portion of contracted work.

Delinquent water bills: the Village continues to review information on delinquent water bill processes, including policies of other municipalities. The Village will finalize and implement its policy soon. Also, please note: the Village will begin adding penalties on water bills on which the payment is received in the Village office after the due date shown on the bill, regardless of the date the payment/check is dated.

Sewer: New equipment was installed/repairs were made to the west lift station.

Financial: Expenditures made during the previous month were presented and reviewed. A motion to approve all invoices was made by Member Schmitt and supported by Member Krzeminski. Motion carried.

The Village's annual budget meeting will be held on Monday, June 17, 2024, at 6:00 pm.

Council confirmed that Clerk Boswell is authorized to conduct all necessary financial transactions and business and should be added to all accounts at all financial institutions, including Union Bank, Fifth Third Bank and PFCU Credit Union

Pay Application No. 10, from Nashville Construction for work performed on the water main improvement project, were reviewed. All work covered under Pay Application No. 10 has been successfully completed. A motion was made by Member Pivarnik, supported by Member Droste, to process payment of Pay Application No. 10. Motion carried.

Building & Zoning:
Member Pivarnik presented the following Applications for Plot Plan Approval:

- #24-009 for a fence at 6547 S. Grange Road - Zimmerman. Member Pivarnik made a motion, supported by Member Droste, to approve the application. Motion carried.
- #24-010 for a fence at 207 E. Oak Street – Stoddard. Member Pivarnik made a motion, supported by Member Droste, to approve the application. Motion carried.
- #24-011 for an accessory building at 310 E. Main Street – Bedenbender. The proposed accessory building does not comply with the size limitations of the Village's Zoning Ordinance. Member Pivarnik made a motion, supported by Member Smith, to deny the application. Motion carried. The applicant will need to request a zoning variance, if they desire to proceed with the application process.

Streets: A matching funds grant is available for small communities (communities with population of less than 10,000) for street projects. The Village will work with our engineers, Fleis & Vandenbrink, to apply for the grant.

Village DPW will be working with the Clinton County Road Commission to have chip-seal applied to some streets within the Village. Work will be completed on the following streets in early to mid-July:

- East Main Steet
- West Main Street
- Gutha Drive
- Cedar Lane
- Birch Lane
- Elm Street from Willow St.to Westphalia St.
- Willow Street from Church St. to Pine St.

Please note, Village ordinances require residential properties to maintain off-street parking for residents and also prohibit overnight parking on Village streets. Thank you for your cooperation.

Also, please note, it is against Village ordinances to blow grass clippings onto the streets as the grass clippings clog catch basins and storm sewers. Thank you for your cooperation.

Community Service: Cruise-In 2024 will take place on Thursday, June 13, 2024.

Planning Commission:

Mr. Mike Brunton, ("Ice Cream Mike") attended the Planning Commission meeting to inquire about the possibility of selling ice cream at baseball and softball games. Mr. Brunton sells prepackage ice cream "novelties" from a modified golf cart and specializes in providing his products at athletic events, festivals, and similar events in various communities. A portion of sales is returned to the communities/activities which Mr. Brunton supports. Member Thelen will discuss the request with other individuals coordinating the athletic events to determine interest.

Tanner Droste presented the results of the village/township survey regarding improvements at Droste Park. There was a general discussion of comments and recommendations. Recommendations and suggestions were widely varied, although the survey results make it clear that residents believe that updating the park is needed. Members Thelen and Fandel suggested the next step is to talk to Township officials and see what their interest is in this project and if they would support it. If it is decided to go forward, the Park Master Plan will need to be updated.

Based on the issues being addressed and progress being made, the Planning Commission will not take a recess in July. The next Planning Commission meeting will be held on Monday, July 8, 2024, at 6:00 pm.

Parks and Recreation: Discussions continue regarding the potential upgrades to the facilities at Droste Park. Please refer to the summary under "Planning Commission".

Administrative Issues: The proposed installation of security cameras in various locations around the Village was reviewed. Locations may include the "4-corners" covering all directions, Village Hall and the DPW building and surrounding areas. Member Pivarnik made a motion, supported by Member Droste, to proceed with the purchase and installation of the cameras. Motion carried.

Next Council Meeting: Regular Meeting: Monday, July 8, 2024, at 7:00 p.m.

Adjournment: Motion to adjourn made by Member Smith, supported by Member Pivarnik. Motion carried.

As a member of our community, you may have noticed some of the Droste Park facilities' aging infrastructure. Village Council and Planning Committee members have recently received significant feedback, ideas, and suggestions for Droste Park from various residents.

- Did you know that Droste Park originated in 1964?

- Did you know the pavilions, restrooms, and bridge were finished in 1980?

In response, Droste Park has been a prominent topic of discussion at recent meetings, and a need to develop a new Parks and Recreation Plan has been determined. Some preliminary ideas and plans for Droste Park have been discussed, including:

- New pavilions
- New restrooms
- Moving and improving the existing ballfield (fences, lighting)
- Adding two additional fields with 200' fences to accommodate girl's softball and little league baseball
- Ensuring green space for volleyball & flag football
- Adding pickleball or pickleball & tennis courts
- Increasing parking options
- Adding additional walking trails
- Updating playground equipment

Please take a few minutes to complete this simple survey for the Village and Township of Westphalia's Droste Park. Information gathered from this survey will help inform the Village and Township of public opinion and help direct goals and objectives for the upcoming Parks and Recreation Plan update.

Additional opportunities for questions or information will be available at the upcoming Planning Meeting at the village office. Planning will meet on **Monday, May 6, 2024 at 6:00PM. The village address is 200 N. Willow St.**

Submission options include printing and filling out this paper survey and returning it to the Village Office (24/7 mail drop box) or completing the survey online. Access the survey by scanning the QR Code below with your phone, or by clicking the survey link through the village website. **Please submit your response submitted by May 13, 2024.**

(Printed survey on the back)

1. **In general, would your household approve of potential changes as described previously for Droste Park?** *(Please include any reasoning you would like to share in the space below)* Yes No

2. **Are there any proposed additions/changes your household would be interested in or support?** *(Circle any that apply).* **Additionally, please include any reasoning you would like to share in the empty space below**

   a. New pavilions
   b. New restrooms
   c. Moving and improving the existing ballfield (fences, lighting)
   d. Adding two additional fields with 200' fences to accommodate girl's softball and little league baseball
   e. Ensuring green space for volleyball & flag football
   f. Adding pickleball courts
   g. Adding tennis courts
   h. Increasing parking options
   i. Adding additional walking trails
   j. Updating playground equipment

3. **Does your household currently use any of the Droste Park facilities?** Yes No

   If Yes, please rank the facilities below <u>by household usage</u> *(1-most used to 5-least used. Leave blank if not used)*.

   ___ Playground Equipment
   ___ Walking Trail
   ___ Softball/Baseball Field
   ___ Building Rental
   ___ Green Space (ex. Volleyball, flag Football)

   If Yes, please rank the facilities <u>you feel need to be updated the most</u> *(1-most, 4-least).*

   ___ Bathrooms
   ___ Softball/Baseball Field
   ___ Playground Equipment
   ___ Buildings

   If Yes, how would you rate on a sale of *(1-Low, 5-High)*:

   - The overall quality of facilities at Droste Park? ____
   - The general upkeep and maintenance at Droste Park? ____
   - The park for accommodating users of every ability and accessibility level? ____

   If No, please include any park changes that would encourage you to start using Droste Park in the space below:

4. **Where is your full-time residence?** *(Circle the answer that applies)*

   Inside the Village & township Inside just the township Another township:_____

   If you reside in the village or township, would you support an annual Parks millage to allocate money specifically for Village Parks facility improvements and development, matching dollars for outside grant funding, and/or new property acquisition? Yes No Maybe, depending on the amount

   If you support an annual park millage, how much would your household be willing to contribute? $20 $50 $75 $100 Other: _____

   Additionally, please include any reasoning you would like to share in the space below:

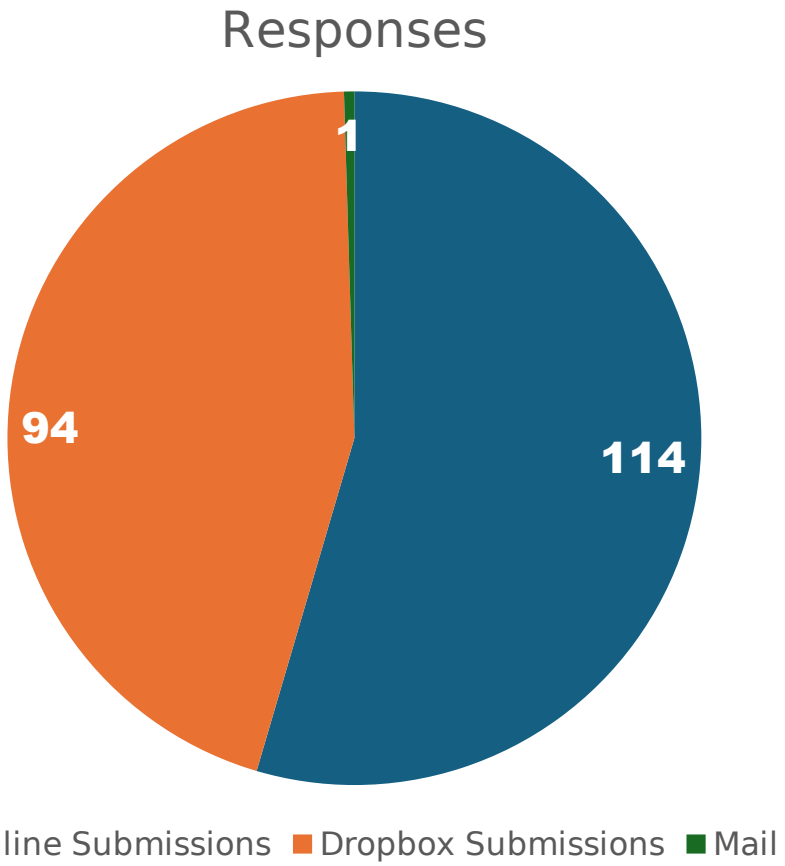
5. **What is your age?** 18-29 30-39 40-49 50-59 60+

6. **Do you have children or grandchildren who play any of the following outdoor sports? If so, which sport(s)?** *(Circle all that apply)* Baseball Softball Flag Football Volleyball

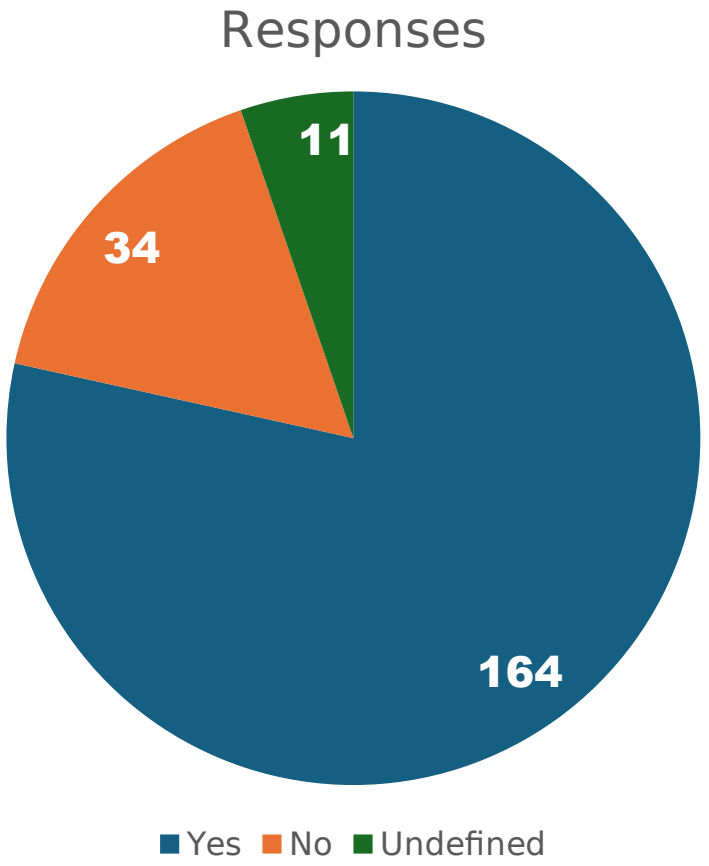
Please leave any final thoughts or comments at the bottom of the page. We appreciate your involvement in the process and your willingness to participate to help improve Droste Park!

Droste Park
Survey Results

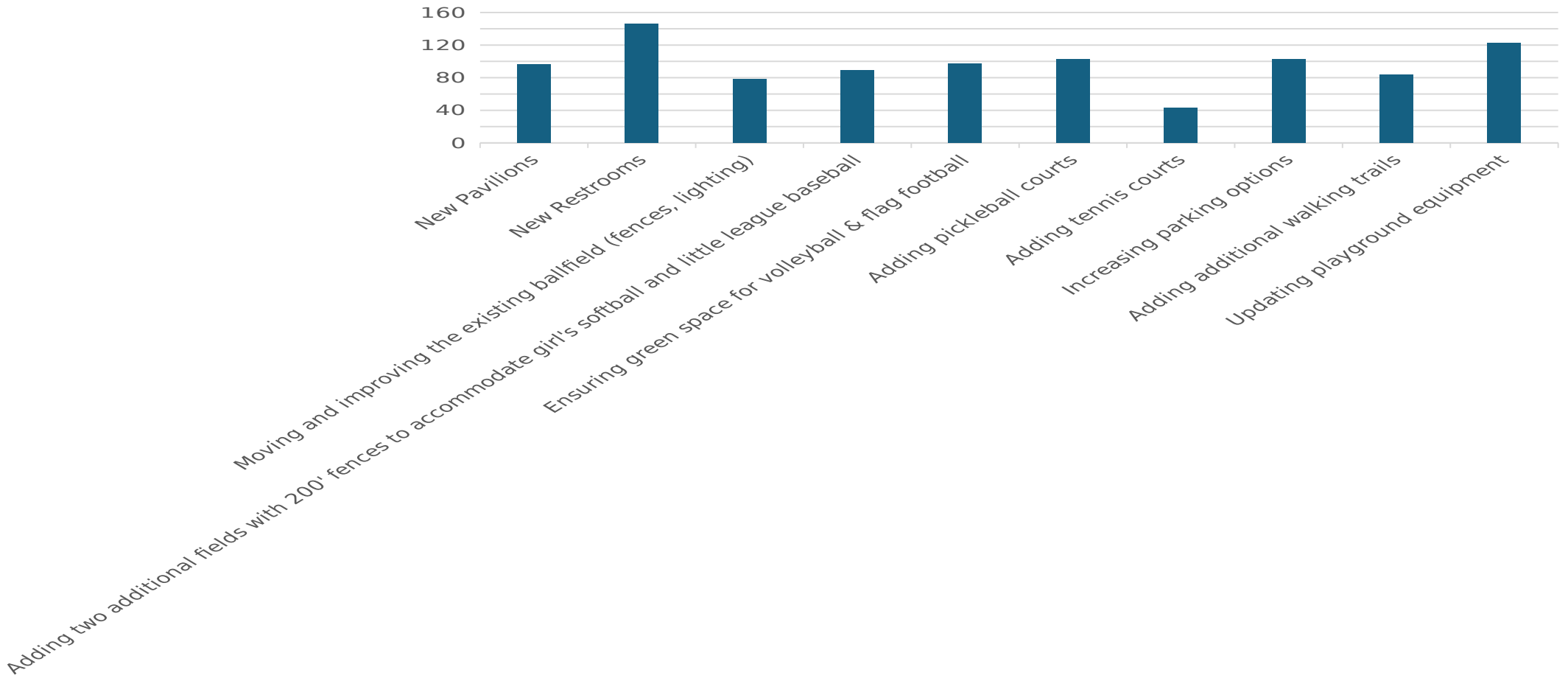
209 Surveys Returned



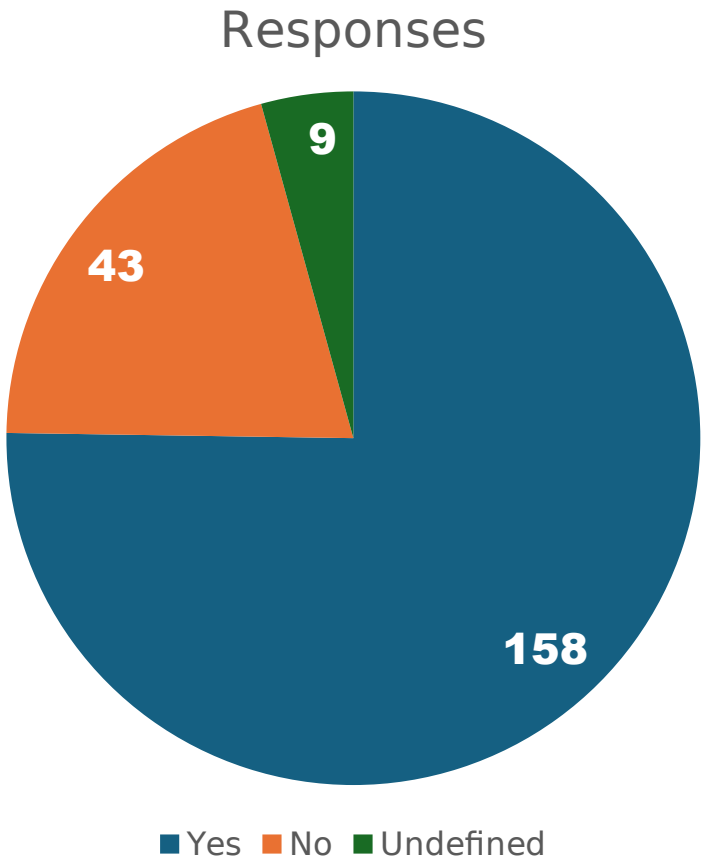
In general, would your household approve of potential changes as described previously for Droste Park?



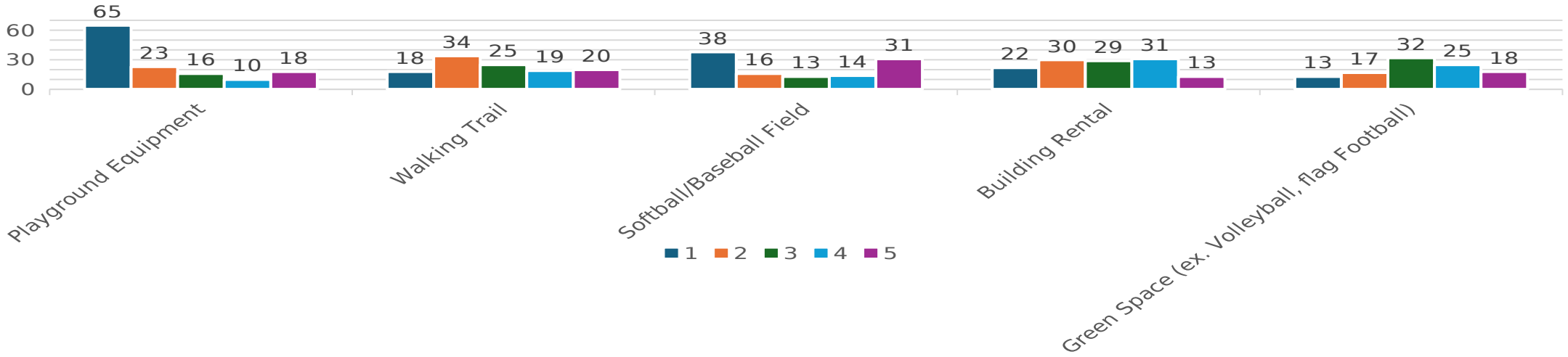
Are there any proposed additions/changes your household would be interested in or support?

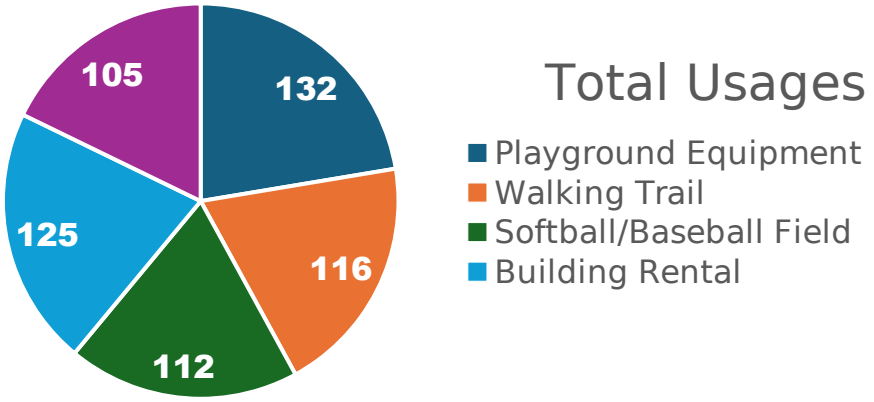


Does your household currently use any of the Droste Park facilities?

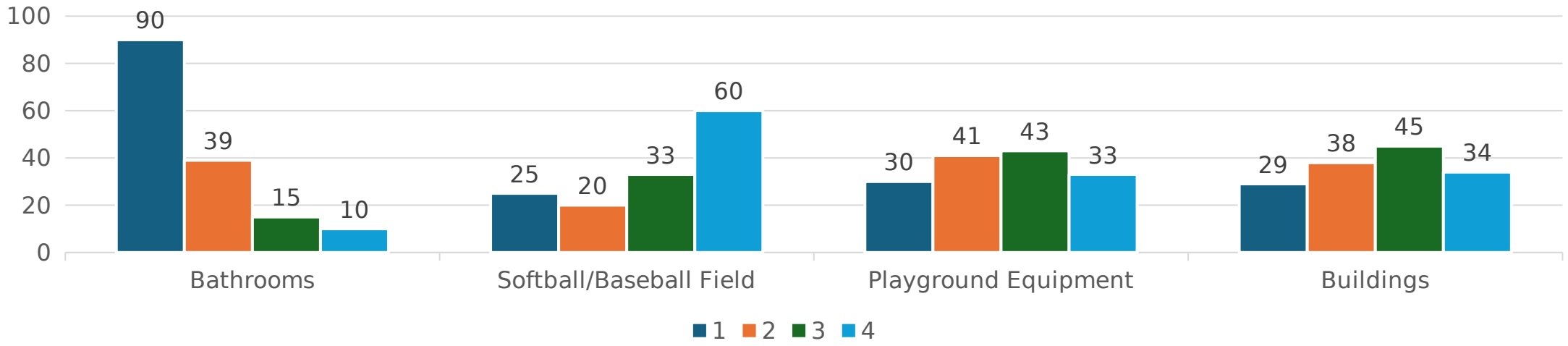


Please rank the facilities below by household usage. (1-most used to 5-least used. Leave blank if not used)

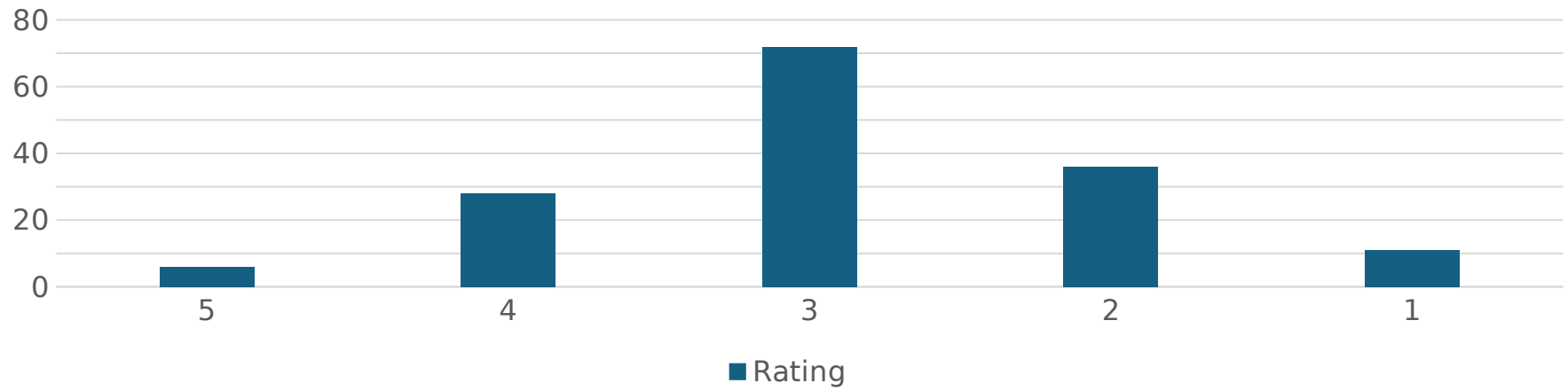




Please rank the facilities you feel need to be updated the most. (1-most, 4-least)

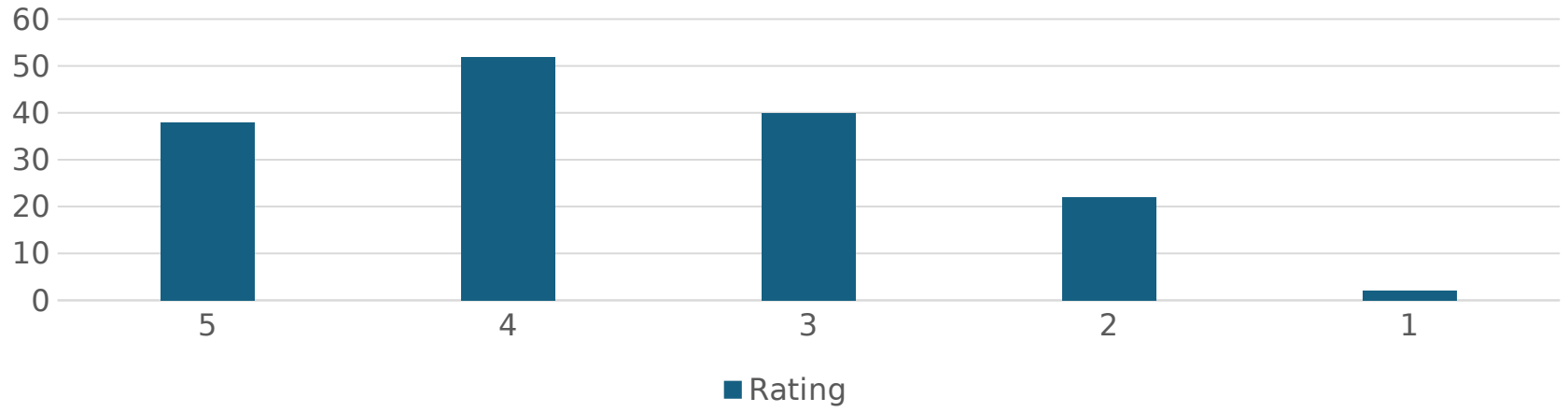


How would you rate the overall quality of facilities at Droste Park?



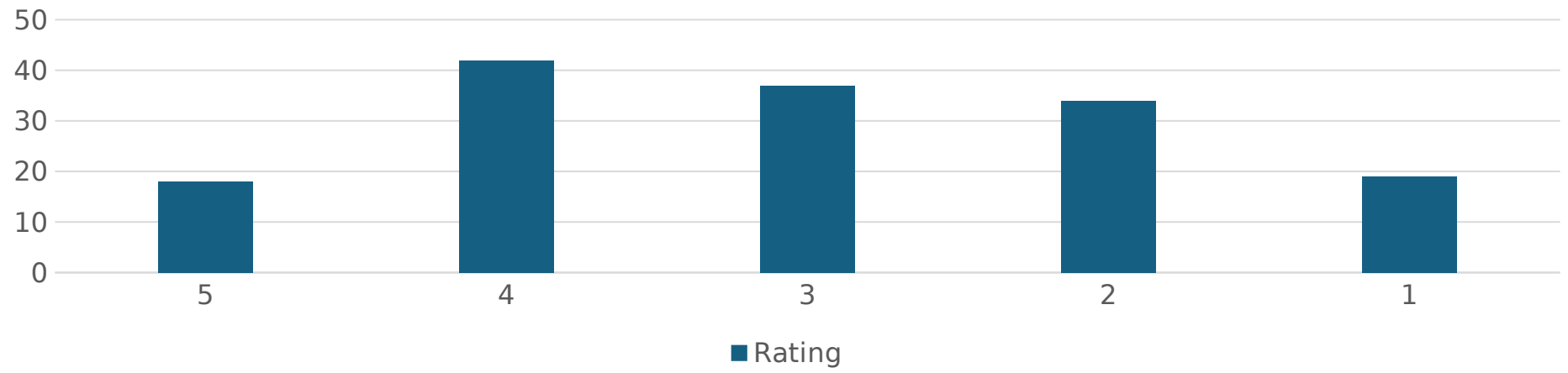
Average Rating: 2.88

How would you rate the general upkeep and maintenance at Droste Park?



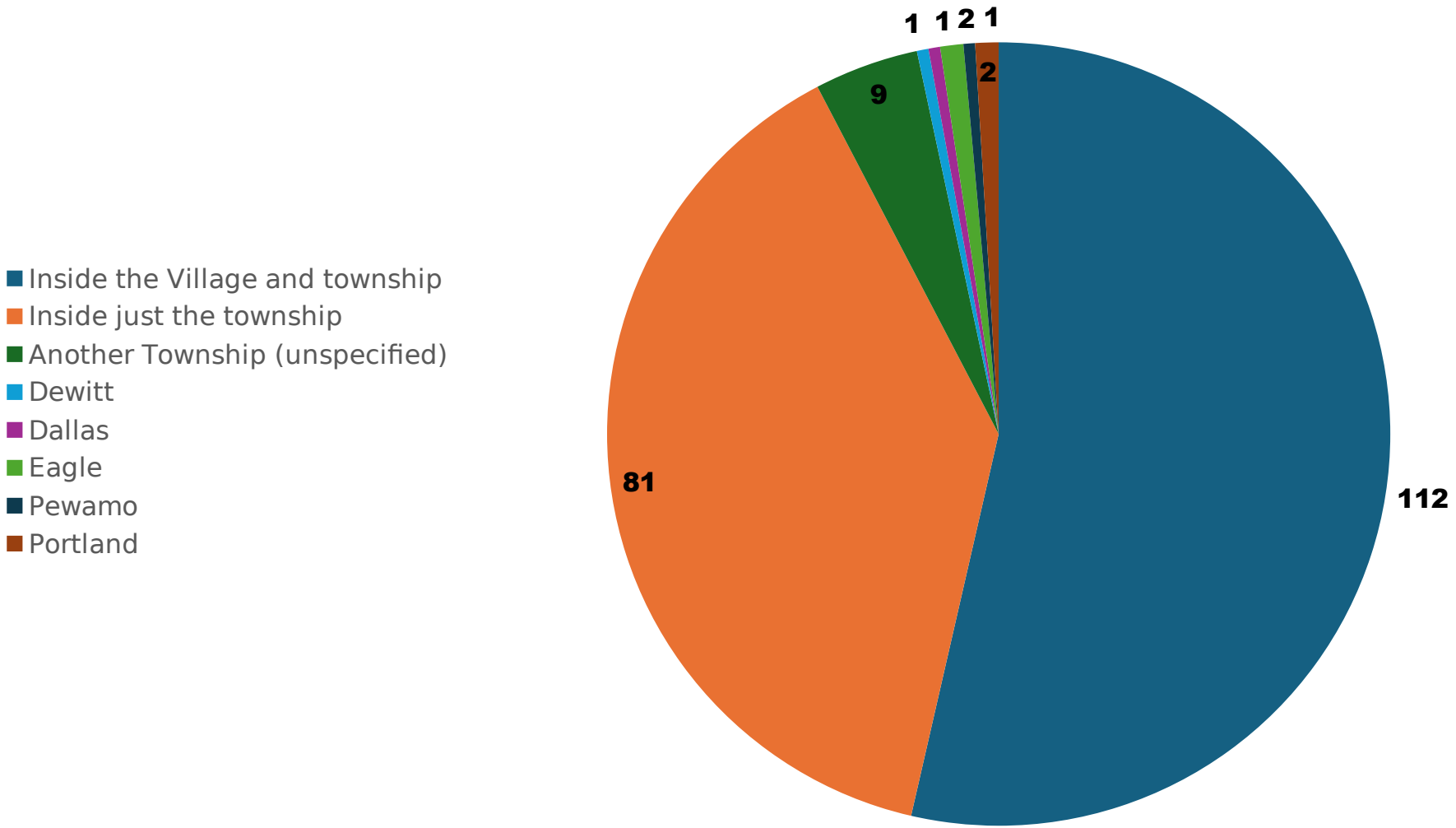
Average Rating: 3.66

How would you rate the park for accommodating users of every ability and accessibility level?



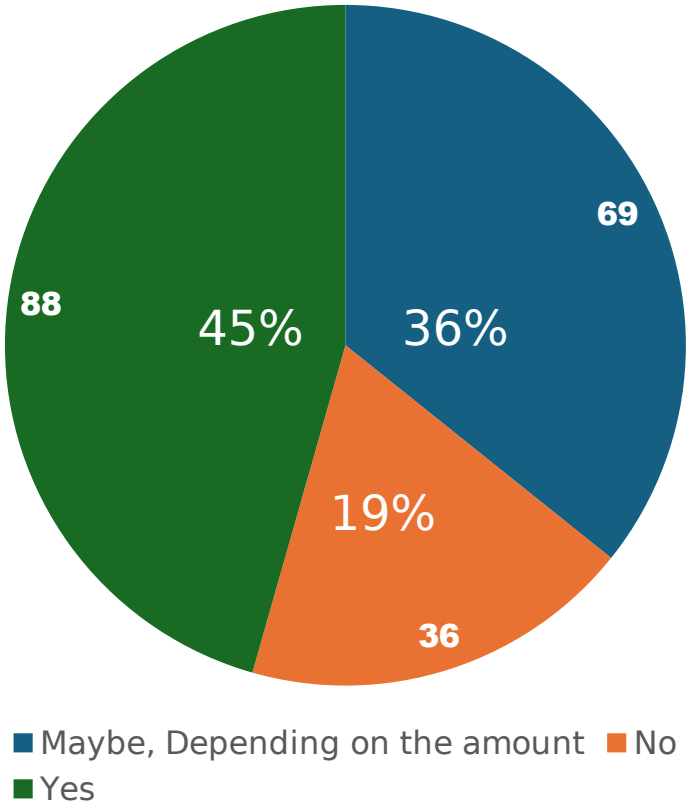
Average Rating: 3.03

Where is your full-time residence?

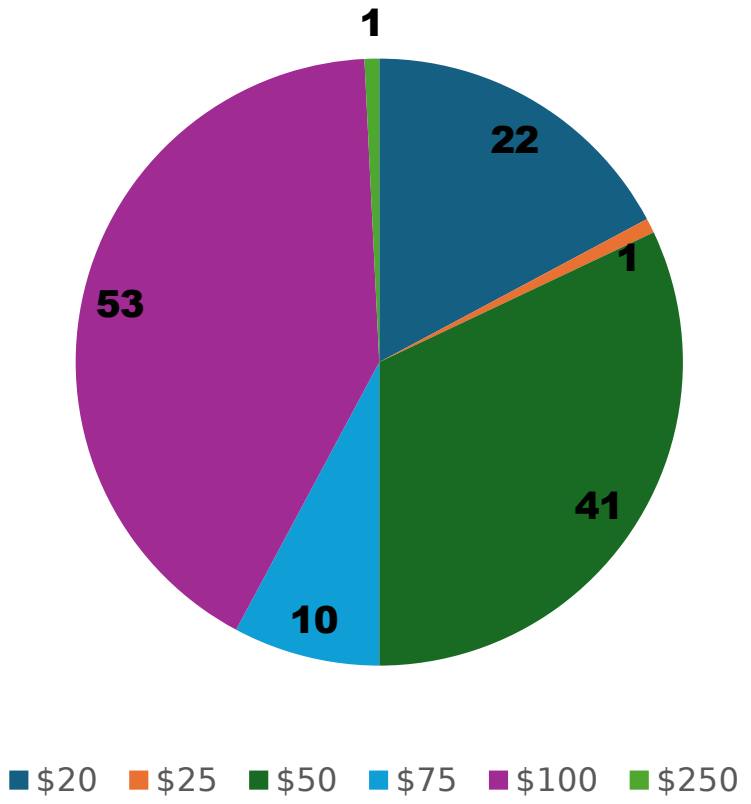


92% of respondents were in the village and township or just the township.

Would you support an annual Parks millage to allocate money specifically for Village Parks facility improvements and development, matching dollars for outside grant funding, and/or new property acquisition?

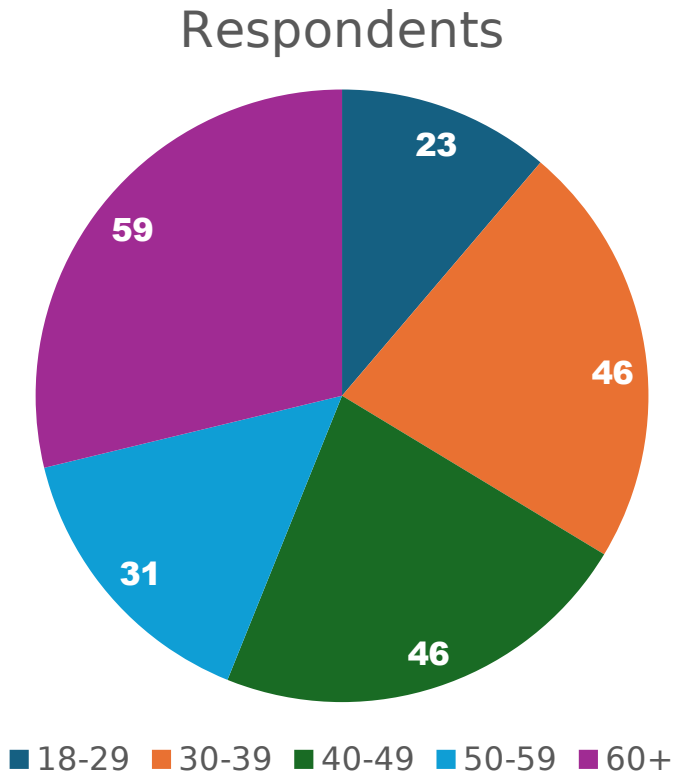


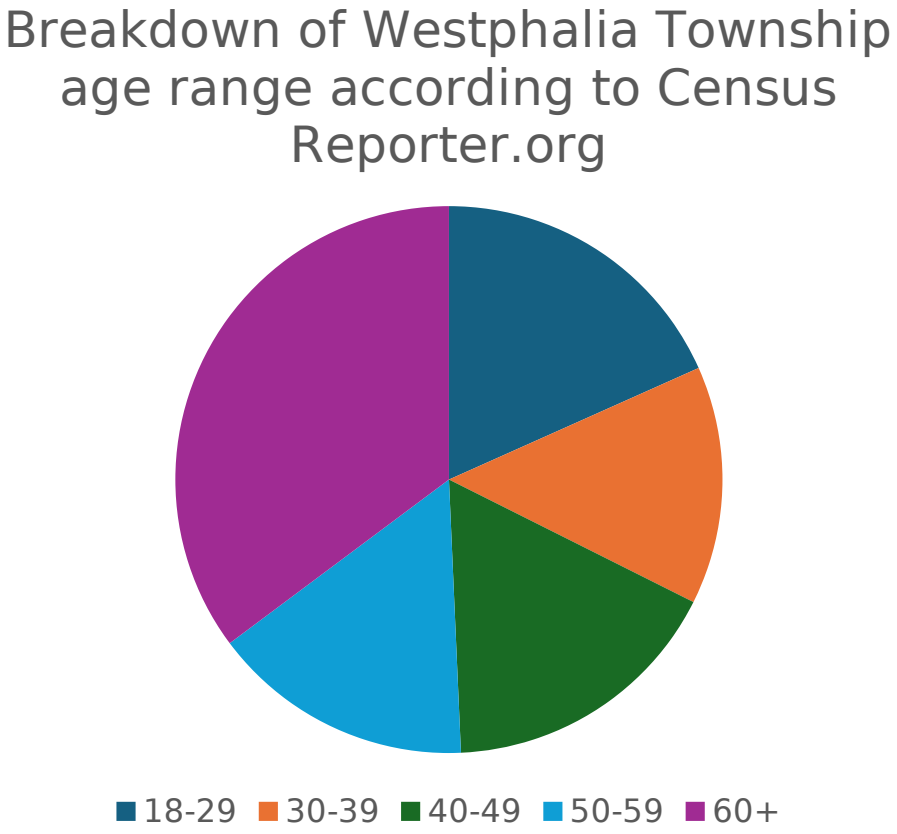
How much would your household be willing to contribute?



Average Amount: $68

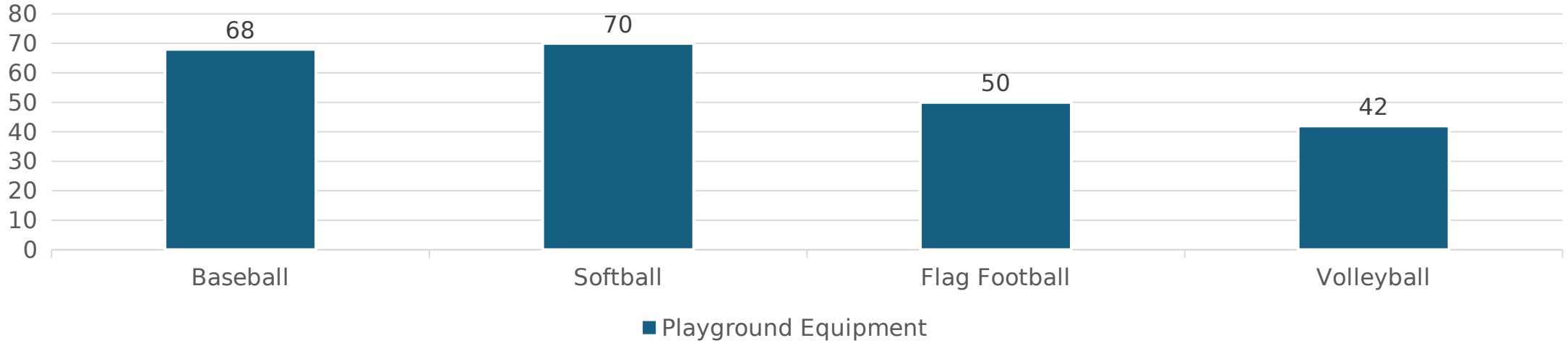
What is your age?





https://censusreporter.org/profiles/06000US2603786140-westphalia-township-clinton-county-mi/

Do you have children or grandchildren who play any of the following outdoor sports? If so, which sport(s)?



We appreciate your involvement in the process and your willingness to participate to help improve Droste Park!

Appendix B

Resources – Universal Design & Financing Mechanisms

Resources

Universal Design

The goal of universal access is, throughout concept and design phases, to incorporate technology, materials and other considerations that promote equal opportunities for people of varied abilities. The following concepts should be kept in the forefront as a prime consideration in the 5-year Master Plan and individual parks or projects as they develop and progress.

Type of Recreation Facility	Universal Access Design Considerations
Archery range	▪ All stations ▪ Route to retrieval area for each target ▪ Targets also useable with cross bows ▪ Arrow back stop to limit retrieval distance ▪ Larger maneuvering spaces to accommodate archers with shooting assistants
Beach	▪ Routes over the beach and into the water can be portable/temporary matting if it needs to be taken in and out for beach cleaning/dragging or in the off season ▪ Wide enough for side-by-side walking/passing ▪ At beach route end have an accessible area at the water's edge large enough to park multiple chairs while the owners are in the water ▪ With a transfer system at the water's edge so people can get down to the ground level and into the water
Boardwalk wetland and water access	▪ 6 feet minimum width so two people can walk side by side or people can pass ▪ Edge treatment to prevent roll/step off ▪ If side rails are used, **more than 25%** must be lowered for easy viewing in various places along the boardwalk ▪ Interpretive information in a variety of alternative formats such as auditory, large print, Braille, pictures, etc.
Campgrounds	▪ All sites and amenities ▪ Accessible surface on all sites, including rustic sites ▪ Larger spaces to accommodate side lifts on campers and vehicles ▪ Accessible tables, grills (15“ minimum, 34“ maximum height), and fire rings on all sites ▪ Centrally located restrooms on easy routes from each site
Camping Cabins and Yurts	▪ Larger clear space and maneuvering spaces in between all furnishings, including when all are in use (beds, tables/chairs with people seated at the table, shelves within lowered reach ranges, lowered wall hooks, etc.) ▪ Larger clear space thoughtfully located for typical portable items such as coolers, luggage, equipment/food bins/tubs, etc.
Canoe/kayak/boat launch	▪ Wider route so someone can hand wheel boat on dolly to launch pulling boat next to them if they are in a wheelchair or two person carry down ▪ Accessible surface to water's edge and into water at launch

Type of Recreation Facility	Universal Access Design Considerations
	▪ More gentle slopes for easier entry and exit when hand wheeling a boat ▪ Some type of “rack” to stabilize boat at a transferable height then some type of mechanism/roller system to move, while seated in the boat, into the water Some means of transfer assistance such as overhead bars ▪ Some type of wench system to help pull boat out of water back into the rack to exit/transfer out. ▪ If there is a dock provide a transfer system on the dock so a person can be seated on the dock to transfer over to a boat in the water that is in some type of a stabilizer rack ▪ Adaptive kayaks available for use ▪ Shore station with a platform (instead of “V” rack) with a transfer system on the deck of the shore station, located next to a dock so someone could roll/get on the platform and lower it to the right level to transfer into a boat
Fishing dock/pier and observation/viewing decks:	▪ More than 25% of the rails are lowered in various locations or no rails at all with only an edge treatment to prevent roll off ▪ Sitting benches (all with backs and arm rests) scattered about so anglers can choose to sit or stand to fish ▪ Tackle box stands next to one bench end (not both) leaving one end clear space for sitting side by side with someone in a wheelchair ▪ A variety of fish landing cutaways strategically placed ▪ Variety of accessible opportunities—over-water fishing, shore fishing, in-water fishing, etc. ▪ Transition plates between access route and deck/pier
Nature center	▪ All interpretive information in a variety of alternative formats such as auditory, large print, Braille, pictures, etc. ▪ Creative use of technology such as mp3 players for auditory descriptions (this gives the info. directly to the individual) closed loop assistive listening devices and closed-circuit captioning of all interpretive presentations ▪ All displays at lowered heights for sitting or standing viewing ▪ All operating mechanisms that are operable with one hand and do not require tight/pinch/grasp/wrist twist to operate
Parking	▪ More than minimum number of accessible spots ▪ Each connected directly to an accessible route to the park elements and NOT into the traffic flow ▪ Thoughtfully located nearest the activity entrance, which might require multiple lots (some near the beach, some near the playground, some near the bathhouse, etc.)
Picnic areas and elements: Pavilions, picnic tables, grills, fire rings, water pumps, etc.	▪ All located on accessible routes ▪ all tables, grills, fire rings, water pumps, etc. accessible ▪ Level routes onto pavilions with no changes of level from path to pavilion surface

Type of Recreation Facility	Universal Access Design Considerations
	▪ Wider routes and clear space with firm surface around all elements so someone with mobility limits can easily move around the element (table, grill, etc.) ▪ A variety of table styles, some with clear sitting space on the side, some with extended tabletops on the end ▪ Some fixed tables to ensure they remain accessible (not moved off into a grassy or sandy area, etc.) ▪ Clear space all around each element so people can approach and use the grill, fire ring, etc. from the front, back and either side ▪ Grills you can lower/raise the cooking surface with one hand ▪ Raised fire building surfaces so you can place wood without learning too far over from a standing or seated position
Playgrounds	▪ Ramps and transfers ▪ Has both ramp and transfer access to all play components ▪ Ramps to every “getting on spot” or “sit/stand & do it spot” of every play component ▪ Transfer system from the ground up to the main deck located near the exits of slides and climbers furthest from the ramp onto the structure ▪ Only unitary safety surfaces such as poured-in-place or rubber tiles NOT any loose fill materials like shredded rubber, wood chips, engineered wood fiber, or any other non-unitary surface material ▪ On deck transfer platform at the entry point of every slide ▪ On deck transfer platform with one open transfer side and one side with transfer steps to every entry/exit point of every climber, so kids climbing up can get down to the deck to move to another component, as they may have left an assistive device at the ground ▪ A good variety of things to manipulate that make noise or music, have high contrast/bright colors, games that two kids can play (to foster social interaction), Braille and sign language panels to teach awareness, easy to operate with just one hand with a whole fist (does not require tight/pinch/grasp/wrist twist to operate) ▪ Different high contrast colors for decks versus transfers so kids with low vision can perceive a change in level ▪ Play panels are located at heights so they can be used from a seated position or standing
Restrooms	▪ More than the minimum number of accessible units ▪ Multiple unisex/single user toilet rooms/units so opposite sex care givers can assist; also good for parents of young children of the opposite sex so kids aren’t sent alone into the multi-user restroom ▪ Thoughtfully located near areas of activity such as play areas, beaches, fishing piers, etc.

Type of Recreation Facility	Universal Access Design Considerations
	▪ Accessible door pulls and water faucet handles - all accessible port-a-johns, again big enough for individual use or care giver/parental assistance.
Skiing/sledding hill	▪ Accessible route to top (no steps), possibly using a “magic carpet” lift ▪ Level surface for sled mounting at hilltop ▪ If staffed, provide ATV transport or have policy that allows personal ATV use Transfer at hill bottom to help transfer
Sports fields/courts Fields: soccer, football, baseball, etc. Courts: tennis, basketball, bocce, horseshoes, etc. Other: skate parks, frisbee golf	▪ Routes to both sides of all fields and courts, not just end zones ▪ Accessible seating spaces both ground level and elevated if risers/bleachers are provided ▪ Accessible seating spaces scattered throughout all viewing areas and levels with companion seating on both sides of the space ▪ All lowered service windows at all concession areas ▪ Wider gate openings into court areas (tennis, bocce, basketball) and skate parks to accommodate wider sports wheelchairs ▪ Routes to both horseshoe pits and along both sides of the route between pits ▪ Level routes onto bocce courts with sitting benches at both ends
Trail: nature trail, walkway, pathway, etc	▪ Multi-use trail - 8 feet, with slopes under 2%, wider width so two people can walk side by side or people can pass ▪ Walkways within a site – at least 6 feet wide and have slopes under 2% ▪ Regional trail system - at least 10 feet wide, with 1-foot buffers on either side, with slopes under 2% ▪ Unitary surface like concrete, boardwalk or asphalt, crushed aggregate/screenings that have been “stabilized” or natural soils enhanced with soil stabilizers ▪ Transition plates between trail and pedestrian bridges, decks, etc. ▪ Contrasting color treatment of the surface and textured surface treatments such as brushed concrete at intersections or interpretive stations to cue people who have vision impairments that there is something to pay attention to at that spot ▪ Close to level cross slopes (side to side) and very gentle running slopes, no steep sections, larger (greater than 60” X 60”) level areas at all turns and intersections

Type of Recreation Facility	Universal Access Design Considerations
	▪ Thoughtfully laid out on the site to maximize the experience with minimal difficulty ▪ Accessible amenities such as benches, restrooms, drinking fountains, etc.

Common components that need to be looked at to answer these basic questions include parking, paths of travel from parking, street or sidewalk to activity areas, the activity areas themselves, signage, support facilities such as restrooms, surfacing, and communications required for recreation programs and general use of a facility or area. The existing parks are evaluated on the following criteria and scored 1-5.

5 – Facility is fully accessible. Features and facilities meet and exceed the Uniform Building Code and take into consideration Universal Design principles. Main elements such as the washrooms, entrances, parking, and amenities are barrier free.

4 – Majority of the facility is accessible; however, there are some accessibility barriers. Some improvements are needed to make the facility fully accessible.

3 – Facility is partially accessible. Barriers exist to fully accessing the facility and an alternate facility may be necessary.

2 – Facility has limited accessibility. Multiple barriers exist to fully accessing the facility and an alternate facility may be necessary.

1 – Facility has poor accessibility. Accessibility barriers may exist at entranceway, recreation area

Financing Mechanisms

The following paragraphs briefly outline existing sources of funds for financing the future recreational improvements in the City.

1. General Funds

The City's general fund has been the primary source of funds for operating and maintaining its current facilities. Future site improvements, acquisition, and development will remain dependent on these tax-supported funds, as will the continued operation and maintenance of these facilities. Consequently, recreation planning has to be coordinated with the yearly budgeting process for the City's general funds.

2. Donations and Gifts

The availability of donated land, labor, equipment, and funds from individuals and organizations is an attractive and effective way to improve recreational opportunities in The City. Over the past few years, several groups and individuals have contributed significantly. Such support should be encouraged to continue.

3. Multi-jurisdictional Funding

One of the primary goals of establishing a trail authority comprised of adjacent townships would be to establish a joint source of funding for acquisition, development and maintenance of multi-jurisdictional trail projects. It is too premature to discuss levels or formulas for financial participation/contribution, but by forming such a coalition, the individual townships will collectively be in a stronger position in seeking future matching grants than if pursuing projects individually.

4. Non-Local Financial Assistance

Many communities seek outside sources of funds to supplement their local sources when providing recreational improvements. There are several programs administered by the Michigan Department of Natural Resources (MDNR) that can provide some financial assistance to local recreation projects. Funding amounts available to communities vary from year to year depending on Federal support and State legislative agendas.

The Transportation Alternatives Program (TAP) is a competitive grant program administered by the Michigan Department of Transportation that funds projects such as nonmotorized paths, streetscapes, and historic preservation of transportation facilities that enhance Michigan's intermodal transportation system and provide safe alternative transportation options. These investments support place-based economic development by offering transportation choices, promoting walkability and improving the quality of life. The program uses Federal Transportation Funds designated by Congress for these types of activities. Some key information on the TA program is as follows:

- Funding with be reduced from the current $23 million a year to $14-16 million a year. Project funding will be more competitive than previously with the average per capita award in the $44-50 per person range.
- Minimum match is still 20% however historic average is 34% and the 2011 average was 44% local match to grant. Any project request for over $2,000,000 total project cost must be 50%-50%. The most favorable grant request will likely be in the $500,000 range.
- Regional Trails will still be a priority, as will urban area streetscapes. Museums and historic preservation projects will be phased out for funding consideration.
- Preliminary grant application review with regional staff is encouraged to determine competitive nature of project and gather suggestions from TE staff. Project narratives should focus on intermodal transportation opportunities as they relate to the larger picture in the community,

traffic calming, improving safety and improving water quality through best management practices.

The **Michigan Natural Resources Trust Fund** (MNRTF**)** is administered by the MDNR. The MNRTF program utilizes the royalties from oil, gas, and other mineral developments on state-owned lands to help finance the acquisition and the development of outdoor recreation facilities. The CMI program is the result of the passage of Proposal C of 1998.

Any unit of government, including school districts, may apply for grants to develop or acquire land(s) for public recreation or resource protection purposes. Application forms are available on February 1 of each year. The application deadlines are April 1 and September 1, of each year. The MDNR submits a list of recommended projects to the legislature the following January and funds are available after legislative appropriation, usually the following fall.

All local units of government must provide a local match of at least 25 percent of total project costs. For **MNRTF** development projects, the minimum funding request is $15,000, and the maximum is $300,000. Proposals must be for outdoor recreation or resource protection purposes. Outdoor recreation support buildings and other facilities are eligible for development funding, as is the renovation of existing recreation facilities.

All applicants must have a current DNR-approved community recreation plan, documenting the need for project proposal.

In addition, any private individual may nominate land for public acquisition under this program. All nominations are reviewed by the MDNR for possible acquisition and the landowner is not required to be the person nominating a parcel of land for public acquisition. Nomination forms are available at any time from the DNR Recreation Division, and may be submitted to the Department year round.

The Federal Land and Water Conservation Fund (**LWCF**) program makes money available to the States for land acquisition and development of outdoor recreation facilities. From 1965 to 1996, the Department of Natural Resources (DNR) received over $100 million in LWCF assistance for more than 1,500 projects, over 1,100 of which have been grants to local governments. The objective is to provide grants to local units of government and to the State to acquire and develop land for outdoor recreation.

Applications are evaluated on established criteria including project need, capability of applicant, and site and project quality. At least 50 percent match on either acquisition or development projects is required from local government applicants with a $30,000 minimum and $100,000 maximum funding limit. The Michigan Department of Natural Resources (MDNR) makes recommendations to the National Park Service (NPS), which grants final approval. Criteria are spelled out in the "Recreation Grants Selection Process" booklet given to all applicants.

PA 32 of 2010 created the Local Public Recreation Facilities Fund to be used for the development of public recreation facilities for local units of government. Money for this fund is derived from the sale of the **Recreation Passport** which replaces the resident Motor Vehicle Permit (MVP) — or window sticker — for state park entrance. The passport will be required for entry to state parks, recreation areas and boating access sites. Ten percent of remaining revenue will be used to fund the **Recreation Passport local grant program**. A 25% minimum local match is required for the Passport grant program with a maximum grant amount of $150,000 and a minimum of $7,500.

The grant program may only be used for local development projects. The program is focused on renovating and improving existing parks, but the development of new parks is eligible. In addition, projects must fulfill the following requirements in order to be eligible:

- Current annual capital improvement plan (CIP) – plan must include the proposed project. If your community does not have a CIP, you must have a current approved recreation plan on file with the DNR.

Organizations with an interest in developing fishing conditions in their areas may be able to get financial assistance from a program established through the ***State Game and Fish Protection Fund***.

This fishing development grant is offered through the MDNR and can be as much as $200,000 annually, in cash or in-kind services. Projects eligible for funding include: culvert modifications for improved stream flow; livestock or sheet erosion control projects; the development of spawning riffles, fish cover structures, or spawning reefs; and the construction of fishing piers and rough fish barriers.

The MDNR accepts grant proposals from organized fishing groups and local units of government. In all cases, projects are able to approach other sources such as the federal government for additional matching funds.

The ***Historic Preservation Grant Program*** is administered by the Department of State with funds made available through the National Park Service of the Department of Interior. The intent of the program is to conduct surveys of architectural, engineering, archaeological, and historic resources, to identify and nominate eligible properties to the National Register of Historic Places, and to plan for the protection of those cultural/recreational resources.

The funds for this program are apportioned by the National Park Service directly to the State, which, in turn, allocates funds on a project-by-project basis to local governments, organization, and individuals.

In Michigan the Historic Preservation Grant program is administered by the Michigan Department of State. The amount of assistance is up to 50% of the project expenses. Grantees are reimbursed at the completion of the project for work done within the days of a contract between the Department of State and the grantee. EXPENSES INCURRED PRIOR TO THE EXECUTION OF A CONTRACT ARE NOT ALLOWABLE PROJECT COSTS AND WILL NOT BE REIMBURSED.

The **Inland Fisheries Grant Program** offers grants up to $30,000 for projects that enhance the state's aquatic resources. This program may be applicable to the scenic overlook fishing platforms and educational kiosks.

The City is committed to review all available funding sources and prepare the necessary plans, reports, cost estimates, and funding applications, to achieve the goals of this recreation plan.

5. Millage

In an effort to raise matching funds or fund projects with local money, many community leaders have placed ballot proposals before their residents for a dedicated increase in their existing mill property tax to fund park maintenance and repair, including care for new parks and newly acquired parks, compliance with the Americans with Disabilities Act (ADA), as well as safety and security improvements. Establishment of a Park Improvement/Development, Maintenance and Repair Millage will assure that parks and facilities will be maintained at the level of quality expected by park users and that new parkland will have adequate amenities.

Appendix C

Public Notices – 30-Day Review & Hearing of Draft Recreation Plan

Postings for 30-day review and public hearing by Village of Westphalia, MI



Posts

Filters

Village of Westphalia
October 30 ·

Public Notice from the Village of Westphalia

A draft copy of the Village of Westphalia 2026-2030 Five-Year Park & Recreation Plan is available for review and public comment for a period of 30 days at the Westphalia Village Hall located at 200 N. Willow St, P.O. Box 8, Westphalia, MI 48894 during regular office hours.

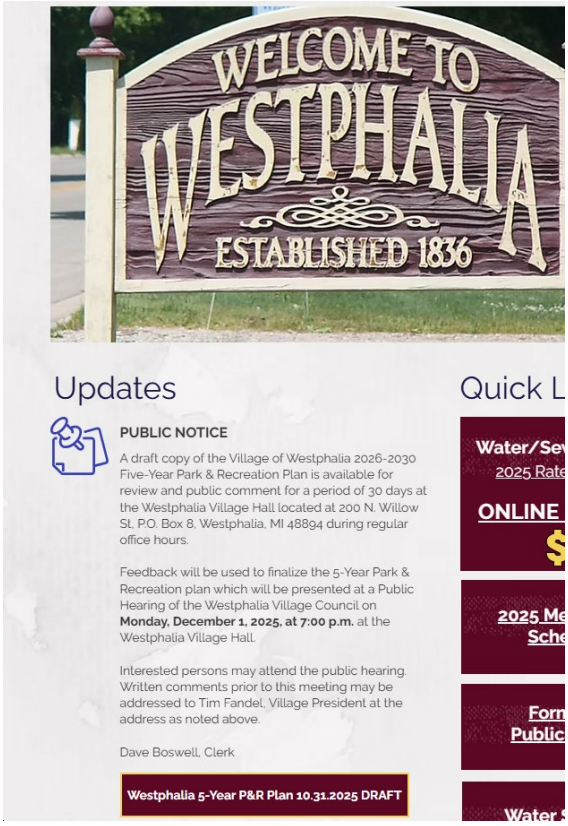
Feedback will be used to finalize the 5-Year Park & Recreation plan which will be presented at a Public Hearing of the Westphalia Village Council on Monday, December 1, 2025, at 7:00 p.m. at the Westphalia Village Hall.

Interested persons may attend the public hearing. Written comments prior to this meeting may be addressed to Tim Fandel, Village President at the address as noted above.

-Dave Boswell, Clerk

2 3 shares

Like Share



Updates



PUBLIC NOTICE

A draft copy of the Village of Westphalia 2026-2030 Five-Year Park & Recreation Plan is available for review and public comment for a period of 30 days at the Westphalia Village Hall located at 200 N. Willow St, P.O. Box 8, Westphalia, MI 48894 during regular office hours.

Feedback will be used to finalize the 5-Year Park & Recreation plan which will be presented at a Public Hearing of the Westphalia Village Council on **Monday, December 1, 2025, at 7:00 p.m.** at the Westphalia Village Hall.

Interested persons may attend the public hearing. Written comments prior to this meeting may be addressed to Tim Fandel, Village President at the address as noted above.

Dave Boswell, Clerk

Westphalia 5-Year P&R Plan 10.31.2025 DRAFT

Appendix D

Resolution of Plan Adoption

RESOLUTION 26 - 01

VILLAGE OF WESTPHALIA 5-YEAR PARK & RECREATION PLAN 2026-2030
For the Village of Westphalia, Clinton County

WHEREAS, the Village of Westphalia has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2026 through 2030, and

WHEREAS, the Village of Westphalia began the process of developing a community recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the Village of Westphalia were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan *for a period of at least* 30 days, *and*

WHEREAS, a public hearing was held on December 1, 2025, at the Westphalia Village Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Village of Westphalia 5-Year Park & Recreation Plan 2026-2030, and

WHEREAS, the Village of Westphalia has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the Village of Westphalia, and

WHEREAS, after the public hearing, the Village of Westphalia Village Council voted to adopt said Village of Westphalia 5-Year Park & Recreation Plan 2026-2030

NOW, THEREFORE BE IT RESOLVED the Village of Westphalia Village Council hereby adopts the Village of Westphalia 5-Year Park & Recreation Plan 2026-2030

Yeas: 7

Nays: 0

Absent: 0

I, David A. Boswell, Village Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Village of Westphalia Village Council, at a Regular Meeting thereof held on the 5th day of January, 2026).

David A Boswell 01/06/2026

Signature Date

Appendix E

Meeting Minutes

VILLAGE OF WESTPHALIA
PUBLIC HEARING RE: PARKS & RECREATION 5-YEAR MASTER PLAN
December 1, 2025

The Public Hearing for hearing comments on the Village of Westphalia 5-Year Parks and Recreation Master Plan was called to order by Village President Tim Fandel at 7:00 pm and opened with the Pledge of Allegiance given to the flag.

In Attendance:

Tim Fandel, Village President
Kevin Krzeminski, Council Member
Steve Miller, Council Member
Tanner Droste, Council Member
Alex Hanses, DPW Supervisor
Dana Platte, Planning Commission
Jon Thelen, Parks & Recreation Committee
David Boswell, Village Clerk
Bernie Lehman, Council Member
Bill Schmitt, Council Member
Phil Smith, Council Member
Dustin Smith, Planning Commission Chairperson
LeAnn O'Brien, Planning Commission
Marlena O'Connell, Fleis & Vandenbrink

Guests: No guests or local residents were in attendance.

Prior to the December 1, 2025 Public Hearing, the public had been notified, via an advertisement in the Lansing State Journal, on the Village's website, on the Village's facebook page, and posting of notices at the Village of Westphalia Village Hall, that a draft of the Village of Westphalia 5-Year Parks and Recreation Master Plan was available for review on the Village's website and in-person at the Westphalia Village Hall.

President Fandel introduced Marlena O'Connell of Fleis and Vandenbrink Engineering, the firm that is assisting the Village in development and preparation of the 5-Year Parks and Recreation Master Plan (Master Plan).

Ms. O'Connell provided the attendees with:

- A statement of the purpose of a Parks and Recreation Master Plan
- an overview of the master plan process
- a tentative timeline for completing the master plan process

Ms. O'Connell asked for questions and requested feedback on the draft Master Plan.

Dustin Smith, from the Village of Westphalia Planning Commission, commented on the draft Master Plan, including:

- On Page 22, under the Objective related to Goal 3: Continue the improvement and development of Universal Design Concepts at all Village Park locations in accordance with the park's development master plan.
    - Possibly including additional items, such as pickleball courts and improved parking
- On Page 22, under the Objective for Goal 4 and, specifically, "…increasing community participation by 15%..."
    - A question as to how would progress towards this objective be measured? A question of whether this measurement should be specified as an exact number or more vague?

A group discussion followed.

Following the discussion, Ms. O'Connell provided insights into future steps and or concerns for the Master Plan/master plan process, including:

- The specific Village goals and the Master Plan will be reviewed in detail by the entities to which grant applications are submitted.
- A primary concern of those entities (and, specifically of the DNR) will be that the Village knows and understands its community and their goals/needs relative to parks and recreation.
- April 1 is the deadline for submitting for FY 2026 grants from the DNR.
- When applying for grants, the Village will need to include "Letters of Support". Ms. O'Connell/F&V can provide us with a list of entities from which to obtain letters of support, when needed.

President Fandel requested any further questions or items for discussion. There were no further questions or discussion requested.

President Fandel adjourned the public hearing at 7:21 pm.

VILLAGE OF WESTPHALIA
COUNCIL MEETING
January 5, 2026

The meeting of the Westphalia Village Council was called to order by President Tim Fandel at 7:00 p.m. and opened with the Pledge of Allegiance.

Council Members in Attendance:

Tim Fandel, President	Kevin Krzeminski	Bernie Lehman	Tanner Droste
	Bill Schmitt	Phil Smith	Steve Miller

Minutes & Agenda: Member Lehman made the motion, supported by Member Krzeminski, to approve the minutes of the previous meeting and the agenda for tonight's meeting. Motion carried.

Guests: Guest in attendance - Alex Hanses, DPW Supervisor. Zach Rudat, County Commissioner. Commissioner Rudat updated Council on the recent activities at the County including Planning and Zoning, County Broadband Project, County Clerk Retirement and volunteer opportunities at Clinton County Waste Management team.

Appointments: None

Water: No new business.

Sewer: Camera work to evaluate the portions of the sewer system not previously reviewed has been completed. Some areas were identified as needing future repair.

Financial: Expenditures made during the previous month were presented and reviewed. A motion to approve all expenditures was made by Member Lehman and supported by Member Krzeminski. Motion carried. Council reviewed the employee compensation budget for 2026-2027. Member Lehman motioned for approval of the plan, supported by Member Krzeminski.

Building & Zoning: Council reviewed Application #26-001 for an accessory building at 211 Feneis St. Application complies with all zoning. Member Droste motioned to approve, supported by Member Krzeminski.

Streets: The street grant is still progressing for work to be completed in 2026 as weather and scheduling permit.

The Village has received complaints from business owners and residents regarding the failure of some property owners and/or tenants to clear snow from the sidewalk in front of their property. Clearing snow from sidewalks is the responsibility of the business owner and/or tenant. In the event that snow is not removed from sidewalks the Village will take appropriate action, which may include billing property owners for snow removal.

Please note – parking is not allowed on streets within the Village between the hours of 2:00 am and 5:00 am. Violation of this provision may result in the towing/removal of the vehicle at the owner's expense.

Community Service: No new business.

Planning Commission: Council approved the final draft of the Park Master Plan and minutes from the Open Meeting regarding the park plan.

The next Planning Commission meeting will be on Monday February 2, 2026 at 6:00 pm.

Parks and Recreation: On December 1, 2025 the Village held a Public Hearing to receive feedback from Planning Commission members, Council members and community residents regarding the proposed 5-Year Parks and Recreation Master Plan ("Master Plan"). At tonight's meeting, Council reviewed the feedback received and a revised draft of the Master Plan. After review, Member Droste made a motion to approve Resolution # 26 -01, adopting the Village of Westphalia 5-year Parks & Recreation Master Plan 2026-2030. The motion was supported by Member Lehman. The motion carried unanimously with seven (7) votes of "Yea" and zero (0) votes of "Nay".

The Village continues to pursue options regarding any changes to the Park and Grant availability for projects.

Village DPW: The tractor that the Village DPW uses to clear snow from sidewalks has been repaired for the time being. Due to the age of this tractor, parts are no longer available.

Administrative Issues:

Reminder: It is the responsibility of businesses and property owners to clear snow and ice, spread salt and generally ensure the safety of the sidewalks on their properties.

Next Council Meeting: Regular meeting on Monday, February 2, at 7:00 pm.

Adjournment: Motion to adjourn made by Member Smith and supported by Member Schmitt. Motion carried.

Respectfully submitted,

David. A Boswell, Clerk
Village of Westphalia

Appendix F

Transmittal of Plan to County and Regional Planning Agencies

TRANSMITTAL

Attention: Danelle Rose
Clinton County Courthouse
100 E. State Street
Board of County Commissioners' Chambers, 2nd Floor
St. Johns, MI 48879

Via Email: rosed@clinton-county.org

Date: January 27, 2026

Project No.: 874230

Project Description: 5-Year Parks and Recreation Plan

Quantity	Description
1	**Village of Westphalia 5-Year Parks & Recreation Plan**

Remarks

Per MDNR guidance, we are forwarding the recently adopted community 5-year Parks & Recreation Plan for your file as Notice of Intent. Thank you in advance.

- [ ] For Approval / Signature
- [ ] For Field Use
- [x] For Your File
- [ ] Other:

Marlena O'Connell, Landscape Architect
Fleis & VandenBrink

2960 Lucerne Drive SE
Grand Rapids, MI 49546
P: 616.977.1000
F: 616.977.1005
www.fveng.com

TRANSMITTAL

Attention: Jim Snell, Executive Director
Tri-County Regional Planning Commission
3135 Pine Tree Road, Suite 2C
Lansing, MI 48911-4234

Via Email: jsnell@mitcrpc.org

Date: January 27, 2026

Project No.: 874230
Project Description: 5-Year Parks and Recreation Plan

Quantity	Description
1	**Village of Westphalia 5-Year Parks & Recreation Plan**

Remarks

Per MDNR guidance, we are forwarding the recently adopted community 5-year Parks & Recreation Plan for your file as Notice of Intent. Thank you in advance.

- [ ] For Approval / Signature
- [ ] For Field Use
- [x] For Your File
- [ ] Other:

Marlena O'Connell

Marlena O'Connell, PLA
Fleis & VandenBrink

2960 Lucerne Drive SE
Grand Rapids, MI 49546
P: 616.977.1000
F: 616.977.1005
www.fveng.com

Recreation Plan
2026-2030



The Village of Fowler

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- Community Description
- Administrative Structure: Roles of Commission(s) or Advisory Board(s)
- Annual and Projected Budgets for Operations, Maintenance, Capital Improvements and Recreation Programming
- Relationships with Organization, School Districts and Other Public Agencies Involved in Recreation
- Recreation Inventory
- Planning Method/Public Input Process
- Goals, Objectives, and Action Plan

Community Description

The Village of Fowler is in Dallas Township, Clinton County, Michigan. The county is in the central portion of the lower peninsula of Michigan and is comprised of 16 townships, 3 charter townships, two cities and six villages.



Figure 1 - Clinton County Location Map

The Village of Fowler contains approximately 1.3 square miles with population of 1226 according to the 2020 U.S. Census. The Village of Fowler is a rural community located on M-21 and is near the cities of St. Johns and Lansing. The Village was incorporated in 1885 and has its own school system and village form of government.

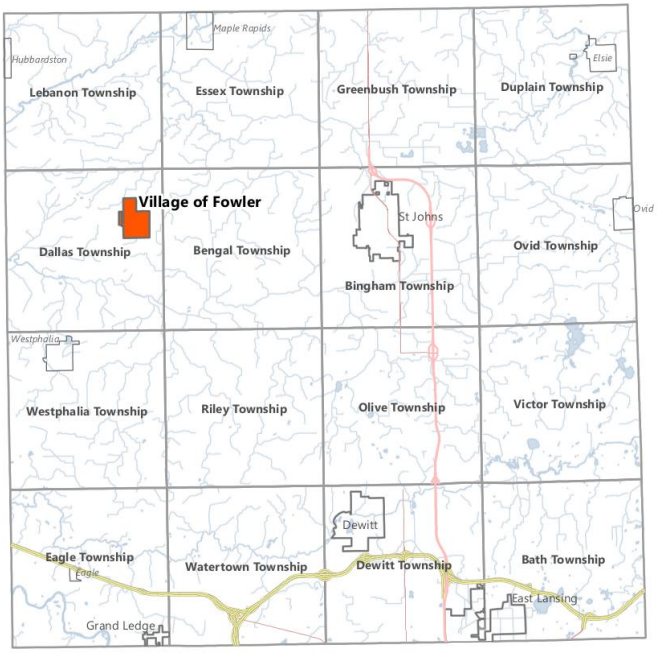


Figure 2 - Location of Village of Fowler

Administrative Structure: Roles of Commission(s) or Advisory Board(s)

The Village of Fowler [Village] is governed by the Fowler Village Council [Council] who is responsible for funding and maintaining recreation areas in the Village. The Village Department of Public Works [DPW] is solely responsible for recreation area maintenance. The Village has authority to commit funds for parks and recreation, accept grants and purchase land on behalf of the community.

In October 2025, the Council resolved to appoint a Recreation Advisory Committee [RAC]. The charge to the RAC is to develop a 5-year recreation plan for the purpose of pursuing assistance to enhance village recreation areas. The Committee is made up of volunteers with representatives from the Council as well as a representative from the Fowler Public Schools Board of Education. A past Commander of the Veterans of Foreign Wars also serves on the RAC.

The charge to the RAC is to develop a 5-year recreation plan for the purpose of pursuing assistance with enhancing village recreation areas with the following actions:

- Complete an assessment of current recreational areas (both owned and/or maintained by the village).
- Perform public outreach as to recreational amenities desired by the community.

Annual and Projected Budgets for Operations, Maintenance, Capital Improvements and Recreation Programming

The current-year and projected annual budgets for parks operation and maintenance, recreation programming and capital improvements for the Village are $30,000.00 and $45,000.00 respectively. Current funding sources are limited to tax revenue. The Village has a Capital Improvement Program [CIP] as part of its Comprehensive Plan. The CIP includes short-term and long-term investment planning and is reviewed and updated every year and projected again for the next 5-6 year period.

Relationships with Organization, School Districts and Other Public Agencies Involved in Recreation

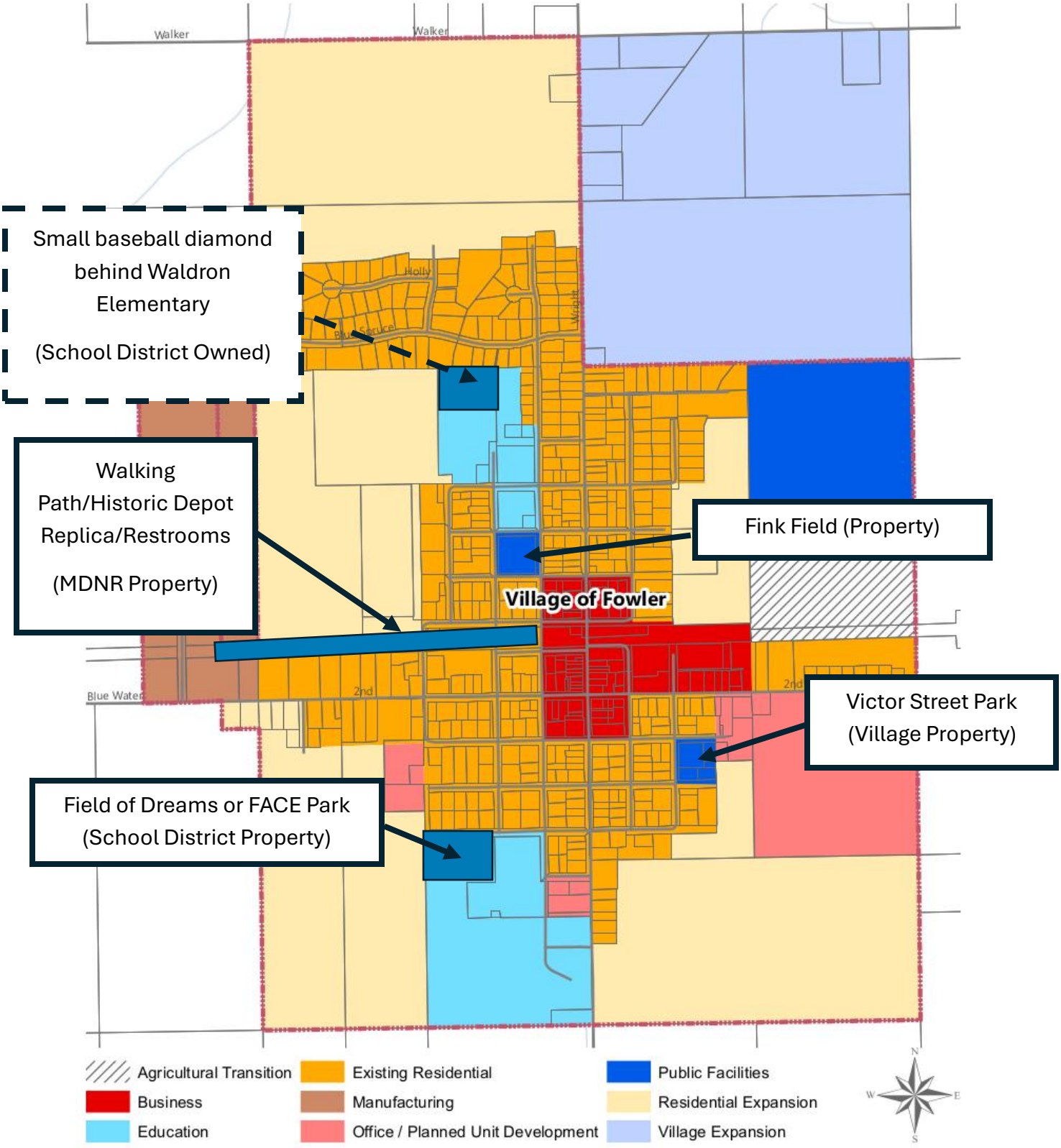
The Village partners with several organizations and agencies for recreational areas. The Village partners with the Fowler School District on FACE [Fowler Association for Community Enrichment] Park which is located on property owned by the Fowler

School District, but structures are managed by the Village. The Village partners with the Michigan Department of Natural Resources (MDNR) who owns land containing a walking trail/historic depot replica/restrooms. The Village worked with the now defunct Fowler Association for Community Enrichment [FACE] on FACE Park with the Fowler School District.

The Village desires vibrant, safe, and highly used recreation areas for the benefit of current and future residents. Fowler has a rich history of providing welcoming recreational spaces to residents of the Fowler area (i.e. parks, public gathering areas, playgrounds). The Village's originally platted "town square" serves as its largest public recreation area today (Fink Field area). While the Village has added recreational amenities such as a train depot replica that serves as a historic center and restroom site near a walking trail, the community wants to ensure that all public recreation areas are safe and meeting the needs of our growing community.

Recreation Inventory

The Village has 4 primary recreation locations: the Fink Field area, Victor Street Park, FACE or Field of Dreams Park, and the walking path/historical depot/restroom area. To perform the inventory assessment, the RAC split into 4 teams who completed onsite reviews of each park area. In addition to these 4 areas, 1 other area will be mentioned that represents potential additional recreational opportunities; a baseball field area behind Waldron Elementary (see map below). Only volunteer RAC committee members were used to complete the inventory. This is the first recreational area inventory performed by the Village.


Small baseball diamond behind Waldron Elementary
(School District Owned)
Walking Path/Historic Depot Replica/Restrooms
(MDNR Property)
Fink Field (Property)
Victor Street Park
(Village Property)
Field of Dreams or FACE Park
(School District Property)
Village of Fowler
Walker
Holly
Blue Water
2nd
Agricultural Transition
Business
Education
Existing Residential
Manufacturing
Office / Planned Unit Development
Public Facilities
Residential Expansion
Village Expansion
N
W
E
S

Fink Field

The Fink Field recreation area was originally platted as the "town square". The 2.35-acre area is the Village's largest public recreation area today with a baseball diamond named after a local youth who had been killed in an accident. A gathering place for summer little league baseball and softball, the park includes a significant play area, basketball court and restroom/pavilion that was constructed in 1973 with upgrades over the years. DNR Accessibility Grade: 3.

Park Amenity	Quantity	Condition	Other Comments
Baseball diamond	1	Good	(2) dugouts are tired
LED Light Poles	8	Good	Lights are 1 year old
Picnic tables	7	Good	Like new
Portable bleachers	3	Good	
Pavilion/bathrooms	1	Avg/Poor	
Horseshoe pits	2	Good	
Drinking fountains	2	Average	
Swings	2	Good	
Play structures	7	Avg/Poor	Log cabin, slides, monkey bars. Metal play structures are 50+ years old
Trash cans	3	Good	
Park bench	1	Good	
Grill (charcoal)	1	Average	





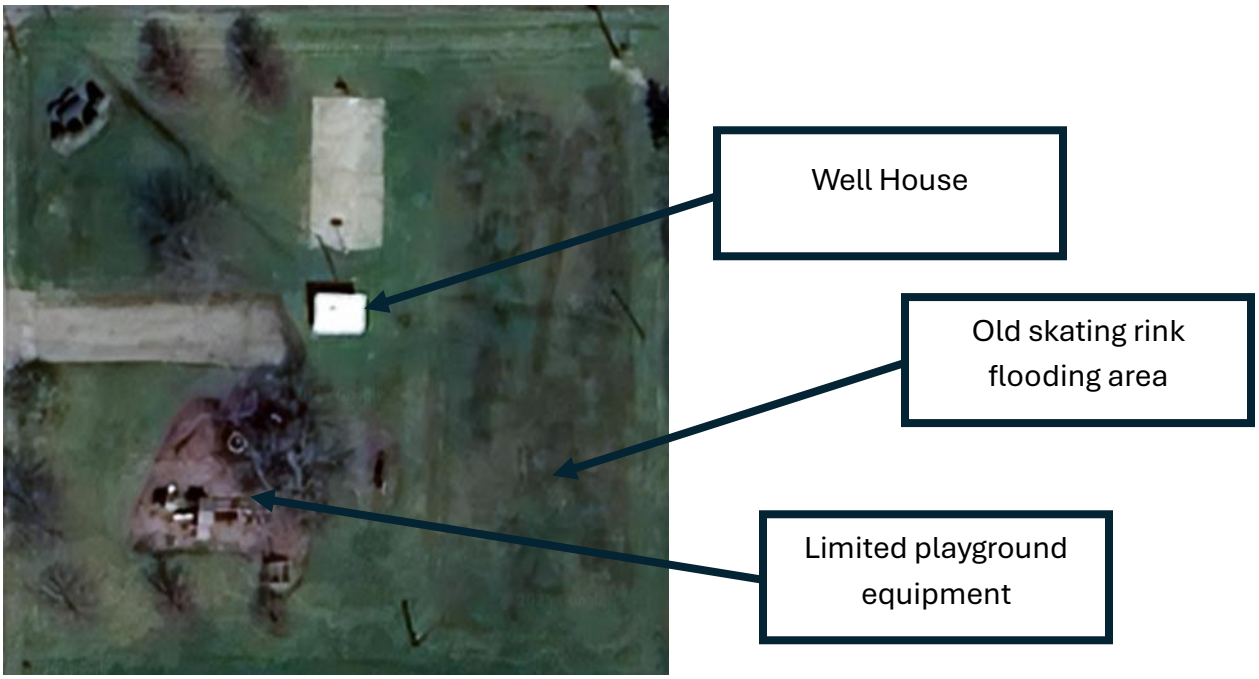




Victor Street Park

The Victor Street Park is a smaller park (1.1 acres) in the opposite village quadrant from Fink Field. In addition to some limited play structures, the park was home to a skating rink made possible by an independent village well. The rink is no longer operated as Michigan's climate has warmed to limit function of the rink. DNR Accessibility Grade: 4.

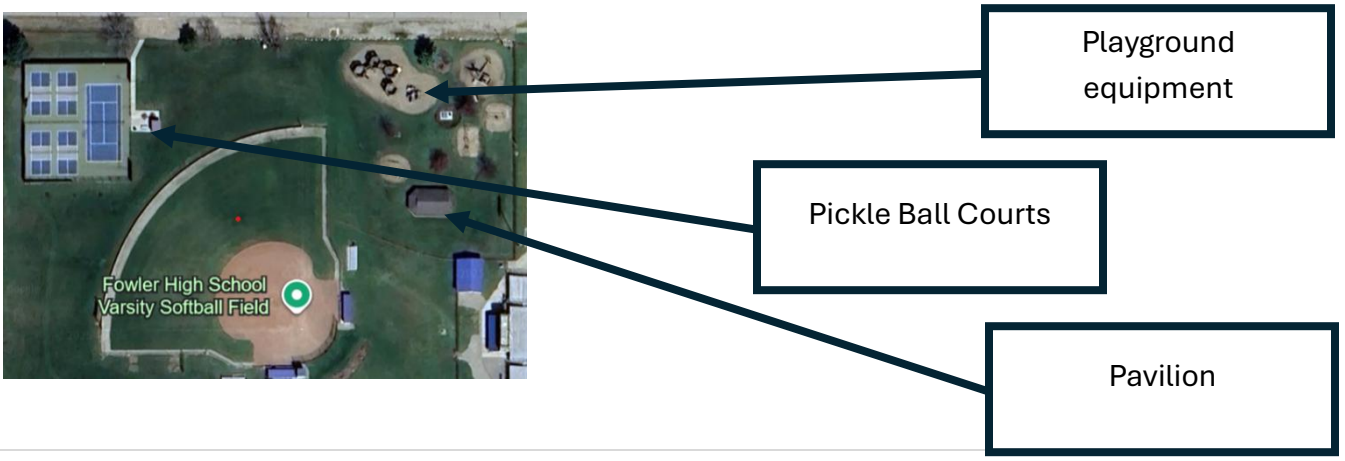
Park Amenity	Quantity	Condition	Other Comments
Swings	2	Good	
Play structures	2	Good	
Seating	0		Definite need
Restroom	0		Definite need
Shaded area	1	Good	Need for more
Lighting	1	Poor	Needs improvement
Trash can	1	Good	
Drinking fountain	0		Needed



Field of Dreams/FACE Park

The Field of Dreams/FACE Park was a collaboration of Fowler Public Schools, the Village, and a non-profit community group. The 1.5-acre property is owned by Fowler Public Schools with structures and maintenance being the responsibility of the Village. The park boasts a pavilion and play structures. It is conveniently located near the Fowler High School athletic fields and newly refurbished pickleball courts. DNR Accessibility Grade: 3.

Park Amenity	Quantity	Condition	Other Comments
Ship play structure	1	Fair	
Castle play structure	1	Fair	
Climbing spider	1	Good	
Tire swing	1	Good	
Swingset	1	Good	Missing strap on chair swing
Bouncing teeter totter	1	Good	
benches	2	Good	
picnic table	10	Good	
trash recepticle	4	Good	
Sign with landscaping	1	Good	
Trees	5		
Little Library	1	Good	
Port-a-john	1	Good	Would benefit from bathrooms
Lighting	0	Poor	No lighting on site
Water fountain	0	Poor	No drinking fountains
Sidewalk	0	Poor	No sidewalk
Pavilion	1	Good	
Pickle ball courts	1	Good	Random cracks



Walking path/Historic Depot Replica/Restrooms

Built to support the transition of a railroad to a walking trail, this 5.2-acre recreation area is the newest in the Village. The replica train depot with integrated restrooms was constructed in 2017. The site has historic train signage, a historic center located in the structure, and a remembrance of a past local celebrity. MDNR owns the property as well as adjacent properties used for events and parking. The structures and amenities were made possible in part to a DNR grant. DNR Accessibility Grade: 4.

Park Amenity	Quantity	Condition	Other Comments
Bike repair station	1	Good	
Restrooms	2	Good	
Bike racks	2	Good	
Little Library	1	Good	
Depot historic room	1	Good	
Depot patio	1	Good	
Benches	3	Good	
Picnic tables	2	Good	
Trash cans	2	Good	
Seasonal drinking fountain	1	Good	
Signage	1	Good	
Parking area	1	Good	
Clem Sohn memorial	1	Good	
Light poles	8	Average	Could use LED and base electrical outlets



Old baseball diamond area behind Waldron Elementary

The RAC will explore potential partnerships and opportunities to use/enhance these areas as part of this plan.

The old baseball diamond area behind Waldron Elementary is approximately 1.5-acres and only has a worn backstop on site. It is adjacent to a new sidewalk that leads to the newest sub-division in the Village. This is on Fowler Public School property.



Planning Method/Public Input Process

This plan was developed with the system method, asking the community for current recreation preferences, existing use of recreation areas, and application of community knowledge of past efforts and their acceptance by the community.

A survey was developed by researching other like communities that created like recreation plans. The RAC reviewed several surveys, selected questions relevant to the community, and released the survey using social media in early November 2025. The survey also included a list of projects/ideas that had been used in other communities in addition to opportunities for organic feedback. The survey was available for 2 weeks with 241 community members responding (20% response rate).

The RAC reviewed the survey results and developed an action plan as detailed in a later section. With a competed action plan, the draft 5-year recreation plan was released on December 28, 2025, for public comment via Village social media. Copies of the plan were made available in the Fowler Village Office as well as the municipal website.

A properly noticed public hearing is scheduled for January 28, 2026 in the Fowler Village Office as part of a special Village Council meeting and in accordance with the Open Meetings Act, PA 267 of 1976. After public comment, the Village Council is scheduled to approve/disapprove the plan at the meeting. If approved, the 5-year Recreation Plan for the Village would be submitted to the MDNR on February 1, 2026. The final resolution for adoption and a compilation of public input will be included in the appendix of this report as part of submission to MDNR. A copy of the

completed plan will be sent to the regional planning agency. A copy will also be sent to the county planning commission.

Goals, Objectives, and Action Plan

These goals are formed from public input and serve as guiding principles. We feel the solid survey response of the community is representative of the recreation opportunities desired by demographics and locations served within the Village.

Goal: Safe, highly used recreation areas for residents.

Objective: **Replace aging, unsafe playground equipment at Fink Field and FACE Park.** Several community members commented about unsafe playground equipment, particularly the wooden structures at FACE Park and some of the playground equipment at Fink Field that is over 50 years old.

Objective: **Construct a sidewalk, with adjacent shaded benches, through each playground (Fink Field, Victor Street Park, and FACE Parks) to increase walkability and accessibility to play equipment/sporting events.** Residents expressed difficulties with accessing play equipment when the ground is saturated.

Objective: **Enhance lighting near walking areas.** Residents mentioned the need for better lighting for nighttime activities.

Goal: Enhance recreation opportunities that are integrated into the village lifestyle such as co-location of recreation areas with school facilities & athletics.

Objective: **Construct a new basketball court at Victor Street Park at the location of the old ice rink.** Residents expressed the need to better use the site and 70 respondents supported new basketball courts.

Objective: **Construct a restroom facility with water fountain near pickle ball courts at FACE Park.** Several residents made this suggestion, and restrooms were the 2nd highest requested amenity in the survey. The Village would work in collaboration with the school district.

Objective: **Refresh baseball diamonds at Fink Field & behind Waldron Elementary.** Comments from the community as well as the resource inventory mentioned this need. The Village would work in collaboration with the school district.

Goal: New, fun opportunities that support family use of recreation areas.

Objective: **Construct a splashpad/restroom facility at Fink Field.** A splashpad was the highest scoring amenity on the survey with restrooms 2nd. While the restroom pavilion at Fink Field has been refreshed over the years, it was constructed in 1973. Splashpad area should have shaded seating/gathering areas with a focus on user accessibility and safety.

Objective: **Construct a sledding hill behind Waldron Elementary adjacent to the baseball diamond and sub-division.** A low-cost idea from the community survey in an underutilized area. The Village would work in collaboration with the school district.

ACTION PLAN

2026 – Year 1

- LED lighting installed near walking areas. Estimated cost = $1,000-5,000.

2027 – Year 2

- Replace aging, unsafe playground equipment at Fink Field and FACE Park. Estimated cost = $150,000-$200,000.
- Construct a restroom facility with water fountain near pickle ball courts at FACE Park. Estimated cost = $100,000-$125,000.

2028 – Year 3

- Construct a sidewalk, with adjacent shaded benches, through each playground (Fink Field, Victor Street Park, and FACE Parks) to increase walkability and accessibility to play equipment. Estimated cost = $30,000-$50,000.
- Refresh baseball diamonds at Fink Field & behind Waldron Elementary. Estimated cost = $15,000-$20,000.
- Construct a sledding hill behind Waldron Elementary adjacent to the baseball diamond and sub-division. Estimated cost = $5,000-$7,000.

2029-30 – Year 4 & 5

- Construct a splashpad/restroom facility at Fink Field. Estimated cost = $650,000-$900,000.

Estimated cost of Action Plan: $951,000 - $1,342,000

Plan will expire in 2031.

Eagle Township Interim Zoning Ordinance

Eagle Township Ordinance 03-2023

Including amendment recommended by Planning Commission January 27, 2026

RECOMMENDED BY PLANNING COMMISSION: December 8, 2023

ADOPTED: December 21, 2023

EFFECTIVE: January 1, 2024

AS AMENDED:

March 21, 2024
May 16, 2024
August 15, 2024
November 21, 2024
January 16, 2025
February 20, 2025
March 20, 2025
October 16, 2025

Summary Table of Amendments

Ordinance Number	Effective Date	Amended Section(s)	Description
02-2024	3-21-24	Article 2, Article 3, Article 4, Article 5, Article 11	Creation of MR District
02-2024	3-21-24	Article 4, Article 7	Clarification of Non-Conforming Lots
03-2024	5-16-24	Article 2, Article 3, Article 4, Article 11	Creation of I-2 District
03-2024	5-16-24	Article 3	Permitted Uses in C District
03-2024	5-16-24	Article 3, Article 5	High Intensity Manufacturing
03-2024	5-16-24	Article 13, Article 14	1000-foot public hearing notice
04-2024	8-15-24	Article 2, Article 3, Article 4, Article 5, Article 11	Creation of RE District
04-2024	8-15-24	Article 2, Article 3, Article 4, Article 5, Article 11	Creation of MH District
04-2024	8-15-24	Article 3	Revisions to Permitted Use Table
04-2024	8-15-24	Article 5	Manufactured Housing Park Standards
04-2024	8-15-24	Article 6	Home-Based Business Standards
04-2024	8-15-24	Article 10	Fence Heights
04-2024	8-15-24	Article 12	Surface Water Flow
04-2024	8-15-24	Article 15	Required Membership of ZBA
05-2024	11-21-24	Section 5.40	Wind-Solar-BESS Overlay
05-2024	11-21-24	Section 5.42	Wind-Solar-BESS Overlay
05-2024	11-21-24	Section 5.51	Wind-Solar-BESS Overlay
01-2025	1-16-25	Section 5.43	Vehicle Repair
01-2025	1-16-25	Section 5.44	Vehicle Repair
01-2025	1-16-25	Section 5.45	Vehicle Repair
02-2025	2-20-25	Section 7.03	Non-Conforming Lot Boundary Adjustments
03-2025	3-20-25	Sections 3.01, 5.14, and 8.01	Data Centers
03-2025	3-20-25	Sections 5.25 and 17.01	Mineral Resource Extraction Definition
03-2025	3-20-25	Section 6.12 and 17.01	Ponds
03-2025	3-20-25	Section 17.01	Definition of “Shipping Container”
11-2025	10-16-25	Section 3.01	Agritourism Permitted by Special Use in RE and C Districts
11-2025	10-16-25	Sections 5.26 and 8.01	Mini-Warehouse
11-2025	10-16-25	Section 5.28	Open-Air Business
11-2025	10-16-25	Section 5.38	Sexually Oriented Business
11-2025	10-16-25	Section 5.47 and 8.01	Vehicle Wash
11-2025	10-16-25	Section 6.02	Shipping Containers
11-2025	10-16-25	Article 9	Landscaping

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Article 1 Zoning Map

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Insert Zoning Map Here

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Article 2 Title, Purpose, and Scope

Section 2.01 Title

This Ordinance shall be known as the “Zoning Ordinance of Eagle Township.” Within the following text, it may be referred to as the “Ordinance” or the “Zoning Ordinance.”

Section 2.02 Purpose

This Ordinance is based on the Eagle Township Master Land Use Plan, approved by the Board of Trustees in 2004, as it may be amended from time to time, and is intended and designed to regulate the use of land. This Ordinance is adopted with reasonable consideration, among other things, of the character and natural features of various areas of the Township, the suitability of each area for particular uses, the support of property values and the conservation of the natural character and features of the Township.

Section 2.03 Scope

(A) The provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standards shall govern.

(B) Where any provision of this Ordinance conflicts with the provisions of an easement, covenant, master deed, or other private agreement, which ever imposes a higher standard or requirement shall apply.

(C) The enforcement of regulations in this ordinance does not preclude the enforcement of private deed or plat restrictions, provided there is no conflict with the zoning regulations contained herein. The Township shall have no authority or responsibility to enforce the provisions of deed or plat restrictions.

(D) Zoning applies to every building, structure or use. No building, structure or land shall be used or occupied, and no building or structure or part thereof shall be erected, moved; placed; reconstructed, extended, enlarged or altered, except in conformity with this Ordinance.

Section 2.04 Creation of Districts

For the purposes of this Ordinance, Eagle Township is hereby divided into the following Zoning Districts as shown on the Official Zoning Map:

(A) **A - Agricultural District:** This zoning district is intended primarily for agricultural use, and to maintain the rural character of the district area in an open, partly natural state.

(B) **RE - Rural Estate:** This zoning district is intended to allow for the development of large-lot residential in a rural environment that may not be associated with agriculture.

(C) **R - Residential District:** This zoning district is intended to provide and maintain a residential living environment with quiet, safe, uncongested neighborhoods free from other uses except those compatible with the principal uses of the zoning district.

(D) **C - Commercial District:** The intent of the Commercial District is to protect and enhance the commercial character of the Township's business district, while promoting vibrancy and economic vitality by allowing a broad mix of appropriate uses.

(E) **I - Industrial District:** The intent of this zoning district is to establish and preserve areas for manufacturing, fabrication, warehousing, and assembly uses that are small enough in scale to be consistent with the Township's rural and agricultural character.

(F) **I-2 - High Intensity Industrial District:** The intent of this district is to regulate and control industrial uses that have the potential for negative off-site impacts, including noise, dust, odor, vibration, aesthetics, truck traffic, rail traffic, structure height, environmental contamination, or causing land on neighboring properties to become unstable or unbuildable.

(G) **MR - Mineral Resource Extraction:** The intent of this zoning district is to preserve, enhance and stabilize areas within the Township which are presently engaged in the excavation of soils or minerals or because of the quality, quantity or uniqueness of the deposit are likely to be mined, as well as to assure that mineral resource lands of long term commercial significance are conserved in order to provide continued and economical local access to valuable minerals, particularly those used in construction materials.

(H) **MH - Manufactured Housing Community.** The intent of this zoning district to ensure high quality of life within the Township's Manufactured Housing Communities by requiring infrastructure and amenities to support the residents of those communities.

(I) **O-WSB - Wind Solar Battery Overlay.** The intent of the Wind Solar Battery Overlay is to target land in the Township that is appropriate for utility-scale wind and solar energy, as well as battery energy storage systems, based on the priorities in the Eagle Township Master Plan. Such land should be located In areas that have impediments to other land uses, such as environmental contamination or nearby intensive uses solar farms should also be located away from clusters of residential homes and sensitive natural features such as wetlands. The provisions of the Overlay shall supersede those of the underlying Zoning District where they conflict, but the provisions of the underlying Zoning District shall remain in force where not specifically in conflict with the Overlay.

Article 3 Table of Permitted Uses

Section 3.01 Table of Permitted Uses

P= Permitted By Right
S=Permitted by Special Use Permit
Blank = Prohibited

Use	A	RE	R	C	I	I-2	MR	MH	O-WSB
Adult Day Care Home	S	S	S						
Agritourism	S	S		S					*
Airport and Airport Hangers	S				S				*
Bank				P					*
Barber Shops/Beauty Shops				P					*
Bed and Breakfast	S			P					*
Boarding Kennels (Commercial)	S			P					*
Breeding Kennels (Commercial)	S			P					*
Brewpub/Microbrewery/Distillery				S	P	P			*
Campground	S								*
Cemetery	S								*
Childcare Center (Non-Home-Based)			S	S					*
Commercial Livestock	P	S							*
Construction Contracting Establishments				S	P	P			*
Concentrated Animal Feeding Operation	S								*
Crop Cultivation	P	P	P	P	P	P	P		*
Data Center						S			*
Drive-Thru				S					*
Domestic Livestock	P	P							*
Dwelling Units									*
Single-family Detached	P	P	P				S		*
Single-family Attached (Townhouse)			S						*
Multiple Family (2+ Units-including Senior Housing)			S						*
Manufactured Housing – 1 on a Lot	P	P	P						*
Manufactured Housing – 2 on a Lot								P	*

Use	A	RE	R	C	I	I-2	MR	MH	O-WSB
Manufactured Housing Community (3 or more on a Lot)								P	*
Accessory Dwelling Unit	S	S	S						*
Residential Accessory to Conservation, Education, or Recreation	S	S							*
Temporary Housing for Seasonal Labor	S	S	S						*
State-Licensed Residential Facility (non-Daycare)	P	S	S						*
Essential Services	P	P	P	P	P	P	S		*
Family Day Care Home	P	P	P						*
Funeral Home and Mortuary				S					*
Government or Public Building	S	S	S	S	S		S		*
Group Day Care Home	S	S	S	S	S				*
Home-Based Business – Type 1	P	P	P	P	P			P	*
Home-Based Business – Type 2	S	S	S						*
Hotel				S					*
Institution of Higher Education	S			S	S				*
Manufacturing – Low Intensity					S		S		*
Manufacturing – High Intensity						S			*
Medical or Dental Clinic				P					*
Mineral Resource Extraction							P		*
Mini-Warehouse				S	S	P			*
Rescue/Foster/Personal Kennel	P	P							*
Office				P	P	P			*
Open Air Business	S			S	S				*
Outdoor Event	S			S	S				*
Pet Shop and Pet Grooming				S					*
Preserve/Conservation Area	P	P	P				P		*
Primary/Secondary School (Non-Public)	S	S	S	S	S				*
Recreation - Indoor				S	S			P	*
Recreation - Outdoor	S	S	S	S	S				*
Religious Institution	S	S	S	S	S	S			*
Restaurant/Bar				P					*
Retail Store				P	S				*
Sexually Oriented Businesses						S			*
Shooting Range	S								*
Solar Energy System – Small	P	P	P	P	P	P	P	P	*
Solar Energy System – Large									S
Stables for Horses	P	S							*
Theater				S					*
Utility-Scale Battery Energy Storage Systems									S

Use	A	RE	R	C	I	I-2	MR	MH	O-WSB
Utility Structures and Substations	S	S	S	S	S	S	S	S	*
Vehicle Dealership				S					*
Vehicle Filling Stations (Gas Stations)				S					*
Vehicle Repair				S					*
Vehicle Wash				S					*
Veterinary Clinics	S			S					*
Warehousing					S	P			*
Wholesale					S	P			*
Wind Energy Conversion Systems – Private	P	P		P	P	P			*
Wind Energy Conversion Systems – Commercial									S
Wireless Telecommunications	S	S	S	S	S	S	S	S	*

*Unless otherwise specified, the land uses permitted in the O-WSB Wind Solar Battery Overlay shall be the same as those in the underlying Zoning District.

(A) If a use is not listed in the table above, it is considered to be prohibited. Uses can be added to the table using the amendment process described in Section 14.06.

Article 4 Zoning Districts

Section 4.01 Schedule of Regulations for Principal Structures

	Minimum Lot Dimensions [c]		Maximum Structure Height		Minimum Required Setback (in feet)			Minimum Dwelling Unit Size (total on all floors) (Sq. ft.)
	Area [a] (Sq. ft.)	Width (Feet)	Stories	Feet [d]	Front Yard	Each Side Yard[b]	Rear Yard	
A	435,600	330	2.5	40	50	20	40	940
RE	217,800	330	2.5	40	50	20	40	940
R	15,000	80	2.5	30	40	10	30	940
C	20,000	100	2.5	30	50	15	15	N/A
I	20,000	100	2	40	75	20	50	N/A
I-2	817,200	660	2	100	150	100	150	N/A
MR	435,600	330	See Section 5.25					N/A
MH	4,356,000	500	See Section 5.16.C					

FOOTNOTES TO THE SCHEDULE OF REGULATIONS

(a) Lot Area. Net Lot Area shall be used to determine compliance with lot area requirements. No new parcel shall be created unless the parcel has adequate usable lot area, such that the parcel can be built upon in compliance with Zoning Ordinance standards. All lots buildable under the Clinton County Zoning Ordinance at the time of adoption of this Zoning Ordinance shall be considered conforming and buildable and all lots not buildable under the Clinton County Zoning Ordinance at the time of adoption of this Zoning Ordinance shall not be considered buildable.

(b) Setback on Side Yards Facing a Street. On corner lots there shall be maintained a front yard along each street frontage.

(c) Lot Depth and Proportions. Lot depths of newly created lots shall be no greater than four times the lot width.

(d) Maximum Height to the Peak: The maximum heights listed in the table shall be the maximum building height based on the definition of that term in Section 17.01, i.e. measured from grade to the halfway point between the peak and the eaves. In addition to the maximum building heights in the table, no structure in the R district shall exceed 45 feet in height as measured from grade to the highest point of the peak, parapet, or the roof.

Section 4.02 Yard and Bulk Regulations

(A) **General Regulations.** All lots, buildings, and structures shall comply with the following general yard and bulk regulations unless specifically stated otherwise in this Ordinance:

(1) Number of Principal Uses per Lot. Only one principal building shall be placed on a lot of record.

(2) Relocation of Existing Buildings into the Township. No existing building or structure shall be relocated upon any parcel or lot in Eagle Township unless the building or structure conforms to all setback requirements for the district in which the building or structure is to be located.

(3) Setbacks shall be measured along the ground from the property line to the nearest load-bearing foundation of the principal building. Unenclosed porches and decks shall be exempt from setback requirements. Zoning Districts

Section 4.03 Adoption of Zoning Map

(A) The boundaries of the Zoning Districts listed in this Ordinance are hereby established as shown on the Official Zoning Map of Eagle Township. The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein.

(B) In accordance with the provisions of this Ordinance and Michigan Public Act 110 of 2006, as amended, changes made in district boundaries and other matters portrayed on the Zoning Map shall be entered on the Zoning Map after the amendment has been approved by the Township Board and has been published in a newspaper of general circulation in the Township. The Township Board may also decide to publish the amendment digitally on the Township's website. No changes of any nature shall be made to the Zoning Map except in conformity with the procedures set forth in this Ordinance.

(C) Regardless of the existence of copies of the Zoning Map which may, from time to time, be made or published, the official Zoning Map shall be located at the Township Hall and shall be the final authority with regard to the current zoning status of all land in the Township.

Section 4.04 Interpretation of District Boundaries

The following rules shall apply to the interpretation of zoning district boundaries:

(A) Boundaries indicated as approximately following the center lines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such center line.

(B) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(C) Boundaries indicated as approximately following Township limits shall be construed as following such limits.

(D) Boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines.

(E) Boundaries indicated as approximately following the shoreline a body of water shall be construed to follow such shoreline; in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline.

(F) Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the Zoning Board of Appeals shall interpret the exact location of zoning district boundaries.

(G) Insofar as some or all of the various districts may be indicated on the zoning map by patterns that, for the sake of map clarity, do not cover public rights-of-way, it is intended that such district boundaries do extend to the center of the rights-of-way.

Section 4.05 Zoning of Vacated Areas

Whenever any street, alley, or other public way within the Township is vacated, such street, alley, or other public way shall be automatically classified in the same Zoning District as the property to which it attaches, and shall be subject to the requirements for said Zoning District.

Section 4.06 Zoning of Filled Land

Whenever any fill is permitted in any stream or other body of water, the land created automatically and without further governmental action becomes subject to the same zoning regulations that are applicable to the land to which the newly created land attaches.

Article 5 Uses

Section 5.01 Intent

Each use listed in this Article, whether permitted by right or subject to approval as a special land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use that is of a size or type, or that possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

Section 5.02 Adult Day Care Home

(A) **Definition:** Daytime care of any part of the day, but less than 24 hour care, for functionally-impaired adults, provided through a structured program of social and rehabilitative and/or maintenance services, within a residential home.

(B) **Standards:** No additional standards.

Section 5.03 Agritourism

(A) **Definition:** The practice of visiting an agribusiness, horticultural, or farm, including, but not limited to, a farm, orchard, winery, greenhouse, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

(B) **Standards:** The following provisions shall apply to agritourism operations:

(1) Purpose and Intent: The purpose and intent of this section is to allow and regulate operations and businesses that invite the public to engage with and experience the inner workings of agriculture and food production. In combination with a conventional farm, the following activities may constitute an agricultural tourism event: ongoing uses such as a winery and tasting room, frequent seasonal uses such as a cider mill, or one-time events such as carnivals, or other events of varying time frames including bonfires, cooking demonstrations, corn mazes, fishing pond, food service, petting farms, seasonal you-pick fruits and vegetables, animal displays, pony rides, wagon/sleigh/hay-rides, nature trails, picnic facilities, educational classes, historical agriculture exhibits, and playscapes. This list is not intended to be all inclusive of activities that may be considered agricultural tourism.

(2) Size. For the purposes of determining whether an agritourism use should be a principal permitted use or special land use, such operations are classified "Minor" or "Major" based on the following characteristics:

	Minor Operation [a, b]	Major Operation [b]
Time Span [c]	Less than or equal to 3 weeks/event	More than 3 weeks/event
Event Acreage [d]	Less than or equal to 5 acres	More than 5 acres
Number of Events	One or two per calendar year	Three or more per calendar year
Number of Attendees	Less than or equal to 50 at any one time	More than 50 at any one time

Footnotes:

(a) Agricultural tourism operations must satisfy all four criteria to be considered Minor.

(b) Minor and major operations require site plan approval. Major operations also require special land use approval.

(c) By way of example, a minor tourism operation could include one that is open for business 21 consecutive days or one that is open 3 weekends within a 3-week period.

(d) Event acreage includes the land occupied by the event plus ancillary facilities (such as parking), and not necessarily the total acreage of the parcel on which the event is located.

(3) Impact on Surrounding Properties. The location, layout, design and operation of such a facility shall not impair the continued enjoyment, use, and future development of adjacent and nearby properties.

(4) Buildings. More than one (1) Building may be permitted per parcel. Unless a building is exempt because it is an agricultural structure.

(5) Trash Containers. A sufficient number of trash containers shall be placed on the premises for public use, based on evaluation of the following features: type of event, anticipated number of attendees, duration of event, geographic size of the event, and use of disposable beverage or food containers.

(6) Restrooms. A sufficient number of restrooms shall be available for public use, based on an evaluation, by the Planning Commission, of the following features: type of event, number of attendees, duration of event, availability of food and beverages, and special needs of attendees (e.g., families with children, people with disability needs, etc.).

(7) Building Setbacks. Buildings shall comply with the setbacks for the district in which they are located.

(8) Planning Commission Waivers

(a) The number of parking spaces shall be determined on a case-by-case basis, upon consideration of the character of the specific agricultural tourism use being proposed.

(b) The Planning Commission may waive any requirement for parking lot paving, upon making the determination that a grass or gravel surface will be adequate to handle the anticipated level of traffic. In making a determination regarding paving the Planning Commission shall consider the types of vehicles anticipated (e.g., volume of bus traffic, size and weight of vehicles, etc.). If paving is not required, then the site plan shall include a commitment to provide dust control. Regardless of whether the lot is paved or not, all requirements of Article 9 must be met.

(c) The Planning Commission may waive parking lot lighting requirements in Section 6.06 upon making the determination that the facility will be used only during daylight hours.

(d) The Planning Commission may waive parking lot landscaping requirements in Article 9 upon making the determination that existing vegetation to be retained on the site satisfies the objectives of the Ordinance and maintains the rural, non-commercial character of the site.

(9) Overnight Accommodations. Overnight accommodations related to an agritourism operation shall comply with the regulations for bed-and-breakfast establishments in Section 5.06.

(10) Exclusions. The provisions in this subsection do not apply to the following uses, which are regulated elsewhere in this Ordinance:

(a) Nature centers or demonstration farms.

(b) Recreation facilities.

(c) Outdoor events.

(d) Roadside stands.

(e) Distilleries.

(f) Bed-and-breakfast establishments.

(g) Brewpubs and Microbreweries.

(h) Any use for which zoning regulations are superseded by Generally Accepted Agricultural and Management Practices (GAAMPS), such as farm markets.

Section 5.04 Airports and Airport Hangers

(A) **Definition:** The use of land, including water, runway, or other facility designed, used or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie down areas, hangers and other necessary buildings, structures and open spaces. Uses such as ticket offices, restaurants, confections, luggage checking facilities, and parcel shipping facilities can be included if ancillary and accessory to the principal use.

(1) **National Airport System** - Airports that provide a network of air transportation to all parts of the country and are eligible to receive federal funding.

(2) **General Aviation Airport** - Public use airports that do not meet the criteria to qualify for federal funding.

(3) **Commercial Service Airports** - These airports handle regularly scheduled commercial airline traffic and at least 2,500 annual passenger boardings,

(4) **Reliever Airports** - High-capacity general aviation airports; these relieve congestion at commercial airports by offering an alternative location for general purpose aviation operations.

(5) **Private Airports** - Owned by private parties and may only be used by the owner or with the owner's permission.

(6) **General Aviation Airports** - These airports have at least ten (10) based aircraft and fewer than 2,500 annual scheduled passenger boardings.

(7) **Other Airports** - Landing strips and smaller airports, most with fewer than 10 based aircraft

(B) **Standards:**

(1) **Intent and purpose.** To allow the construction and use of private aircraft hangars on properties that are adjacent to, and have approved access to, a General Aviation or Private Airport that has already received special land use approval by the Township or is otherwise already legally established and licensed for aeronautical purposes.

(2) **Use.** Private aircraft hangars may be established on a property by themselves or in conjunction with another authorized use permitted in the underlying zoning district (such as a single-family dwelling).

(3) **Authorized access.**

(a) Prior to building permit issuance, the applicant shall provide the Township with a copy of the written approval of the adjacent licensed airport authorizing access and use of the airport runways. The applicant shall also include a copy of an executed and recorded easement to a taxiway.

(4) Lot size. All lots proposed for private hangar use/construction, must comply with underlying zoning or have been otherwise already legally established or recognized.

(5) Height/Setback/Lot coverage. All private hangars shall meet the minimum height and setback requirements of the underlying zoning district. The size of private hangars, and other structures on the subject property, are limited by the lot coverage requirements of the underlying zoning district.

(6) Door orientation/type. All doors larger than a customary garage overhead door used to access the hangar for storage or maintenance of aircraft shall be directed towards an active taxiway used to access the airport runways (and in no case shall directly face an active runway or face an abutting road right-of-way). All doors larger than standard garage doors shall be of a foldable nature designed specifically for aircraft hangar use.

(7) External storage. There shall be no exterior storage of aircraft, aircraft parts or other associated items outside of the hangar unless prior approval is granted by the Township. Temporary approval may be considered for the outside storage of aircraft related items (not to exceed 6 months) during the repair or rebuilding of an aircraft.

(8) Building permits. All private hangars require a building permit and construction in accordance with the current issue of the Michigan Building Code.

(9) Private aircraft hangars are permitted on properties adjacent to approved general aviation and private airports.

Section 5.05 Barber Shop or Beauty Shop

(A) **Definition:** Includes day spas and spas. A personal service establishment offering any of a variety of health and beauty services including hair, nails, make-up, massage, and other related services.

(B) **Standards:** No additional standards.

Section 5.06 Bed and Breakfast

(A) **Definition:** A dwelling unit where the live-in owners and/or operators provide or offer overnight accommodations, in rooms connected by interior hallways, consisting of a minimum of one bed room and a bath, for temporary guests for compensation, including provisions for a morning meal for overnight guests only, in addition to the rooms occupied by the live-in owners and/or operators.

(B) **Standards**. The following regulations shall apply bed and breakfast establishments:

(1) Bed and Breakfast Establishments as an Accessory Use. A bed and breakfast establishment shall be clearly incidental to the principal residence on the site. Accordingly, the bed and breakfast operations shall be confined to the single-family dwelling unit that is the principal dwelling on the site. Not more than sixty-six percent (66%) of the total floor area of the dwelling unit may be used for bed and breakfast bed rooms.

(2) Maximum Number of Bed Rooms. Seven (7) bed rooms. Any establishment otherwise meeting the definition of a bed and breakfast, but containing more than seven (7) bed rooms shall be considered a hotel under this ordinance.

(3) Principal Residence. The dwelling unit shall be the principal residence of the operator, and the operator shall live in the dwelling unit when the bed and breakfast facility is in operation.

(4) Kitchen Facilities. There shall be no separate cooking facilities for the bed and breakfast establishment, other than those which serve the principal residence. Food may be served only to those persons who rent a room in the bed and breakfast facility.

(5) Sleeping Rooms used shall have a minimum size of one hundred (100) square feet for two (2) occupants, plus and additional thirty (30) square feet for each additional occupant. Rooms shall be designed to accommodate no more than four (4) occupants.

(6) Parking. Adequate off-street parking shall be provided for bed and breakfast patrons, in accordance with Article 9.00.

Section 5.07 Brewpub/Microbrewery/Distillery

(A) **Definition:** A manufacturing establishment for alcoholic drinks that also includes a service area where customers can eat or drink. A manufacturing establishment for alcoholic drinks that does not provide a service area where customers can eat and drink shall be considered "manufacturing."

(B) **Standards:**

(1) The following regulations shall apply to brewpubs:

(a) On-premises sale of alcoholic liquor by a brewpub is permitted, subject to the license obtained pursuant to the relevant Michigan state law.

(b) Hops, barley, wheat or other grain used in the brewing process may be stored in a detached structure, such as a silo, provided that any such accessory structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

(c) No outside beer tent shall be permitted in any off-street parking lot or off-street loading/unloading area except as may be permitted as a temporary use by the Zoning Administrator. Outside table service may be permitted in areas not designated for parking or loading/unloading, subject to the requirements of Section 6.11.

(2) The following regulations shall apply to **microbreweries**:

(a) A microbrewery may sell beer it manufactures to a licensed wholesaler who may resell the beer to licensed retailers, pursuant to the relevant Michigan state law.

(b) Hops, barley, wheat or other grain used in the brewing process may be stored in a detached structure, such as a silo, provided that any such accessory structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

(c) No outside beer tent shall be permitted in any off-street parking lot or off-street loading/unloading area except as may be permitted as a temporary use by the Zoning Administrator. Outside table service may be permitted in areas not designated for parking or loading/unloading.

(3) The following regulations shall apply to **distilleries:**

(a) Copies of all required state and federal licenses shall be submitted to the Township.

(b) Grains and other products used in the distilling process may be stored in a detached structure, provide that any such structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

Section 5.08 Campground

(A) **Definition:** A facility for overnight stays in non-permanent structures, cabins, tents, or recreational vehicles.

(B) **Standards.** The following regulations shall apply to campgrounds.

(1) No site shall be occupied by the same tenant for more than 90 consecutive days during the period of June 1 through September 15. Occupancy during the period of September 16 through May 31 shall not exceed 14 consecutive days.

(2) A site in a campground shall have access from either a public or internal private roadway.

(3) Required Setbacks:

(a) Front: 15 feet from the road right-of-way
(b) Side or Rear (from nearest adjacent cabin or lot line, whichever is closer): 10 feet

(4) The maximum number of persons allowed to occupy a site shall be limited to eight (8).

(5) All construction of amenities, including but not limited to, bath/shower houses, swimming pools, community buildings, laundry facilities, etc., shall be in accordance with the Michigan Building Code, as amended. All electrical, plumbing and mechanical work shall be in compliance with applicable State of Michigan Codes, as amended.

(6) Internal private road rights-of-way shall not be less than forty (40) feet wide. The driving surface shall have an aggregate surface a least 20 feet of width and at least a 2-foot wide shoulder on each side. The right-of-way shall be free of obstructions, provide free and easy access to abutting sites, and shall be maintained in a passable and reasonably dust-free condition. The campground owner shall ensure that vehicles do not park in the road right-of-way.

(7) A campground shall be served by municipal water and sewer, or an approved alternative.

(8) All connections to the water distribution system, as well as the top of the site sewer connections, shall be located above the elevation defining the 100-year flood plain.

(9) A campground shall provide customer site piping to convey water from the service connection to the points of use within the campground, as provided for in the Safe Water Drinking Act, Public Act 399 of 1976, as amended, and rules promulgated under the Act. A campground shall provide a private sewer collection system as permitted by the Michigan Department of Environment, Great Lakes, and Energy meeting the requirements of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended, and rules promulgated under the Act.

Section 5.09 Cemetery

(A) **Definition:** Land used for the burial of the dead, including a columbarium, crematory, and mausoleum.

(B) **Standards.** The following regulations shall apply to the establishment of new cemeteries or expansion of existing cemeteries:

(1) Location. No portion of any cemetery that is located in a wetland or within the 100-year flood boundary shall be developed or platted for grave sites.

(2) Accessory Buildings. A crematorium, mausoleum, columbarium, or other accessory building may be permitted within a cemetery provided that any such building shall be designed and located in accordance with a cemetery master plan, which plan shall be subject to Planning Commission review.

(3) Setbacks. No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than one hundred (100) feet to the boundary line of any residential or commercial district. A crematorium located within a cemetery shall be set back a minimum of four hundred (400) feet from the boundary line of any residential district.

(4) Location of Entrances. Entrances to cemeteries shall be from a major or secondary thoroughfare, and shall be designed to minimize traffic congestion.

Section 5.10 Childcare Center (Non-Home-Based)

(A) **Definition:** A facility, other than a private residence, receiving more than twelve (12) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a childcare center. "Childcare Center" or "Day Care Center" does not include instruction solely for religious purposes conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services

(B) **Standards:** No additional standards.

Section 5.11 Construction Contracting Yards

(A) **Definition:** A business establishment manufacturing, storing, and distributing materials and equipment for construction and contracting, as well as providing services associated with such materials and equipment.

(B) **Standards:** No additional standards.

Section 5.12 Concentrated Animal Feeding Operation

(A) **Concentrated Animal Feeding Operation (CAFO):** A CAFO is a lot or facility that stables or confines and feeds or maintains animals for a total of 45 days or more in any 12-month period and meets the following criteria in Table 1 for a large, medium, or small concentrated animal feeding operation:

Table 2.1 Number of Animals to Define Large, Medium, and Small Concentrated Animal Feeding Operations			
Type of Animal: Feeding Operation:	Concentrated Animal Feeding Operations		
	Large Animal numbers equal to or more than:	Medium Animal numbers equal to:	Small Animal numbers less than:
Dairy cows (Mature - milked or dry	700	200 to 699	200
Veal calves	1,000	300 to 999	300
Cattle other than mature dairy cows or veal calves[1]	1,000	300 to 999	300
Swine (weighing more than 55 pounds)	2,500	750 to 2,499	750
Swine (weighing less than 55 pounds)	10,000	3,000 to 9,999	3,000
Horses	500	150 to 499	150
Sheep or Lambs	10,000	3,000 to 9,999	3,000
Turkeys	55,000	16,500 to 54,999	16,500
Laying hens or broilers[2]	30,000	9,000 to 29,999	9,000
Chickens, other than laying hens[3]	125,000	37,500 to 124,999	37,500
Laying hens[3]	82,000	25,000 to 81,999	25,000
Ducks[2]	5,000	1,500 to 4,999	1,500
Ducks[3]	30,000	10,000 to 29,999	10,000
Geese	30,000	10,000 to 29,999	10,000
[1]Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs. [2]Animal feeding operation uses a liquid manure handling system. [3]Animal feeding operation uses other than a liquid manure handling system. NOTE: Other animal types not listed in the above table may be considered on a case-by-case basis.			

(B) **Standards:** It is the intent of this section to allow for intensive livestock operations while providing additional protection to the Township and neighboring land uses in order to minimize noise and odors and prevent surface water and groundwater contamination, and further subject to the following conditions:

(1) The Michigan Right to Farm Act shall control minimum site area.

(2) There shall be adequate fencing, or other restraining devices, for the purpose of maintaining animals within a restricted area. See the Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for the Care of Farm Animals.

(3) The refuse and wastes resulting from the feeding and maintenance of animals shall be controlled upon the premises and shall be subject to the Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities.

(4) All feed and other materials used for the maintenance of animals shall be appropriately stored so as not to attract rats, mice, or other vermin.

(5) For the location of new or expanding intensive livestock operations see The Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities.

(6) The storage of manure, odor or dust producing materials is also prohibited within one hundred (100) feet of any property line pursuant to the Right to Farm Act.

(7) Proper disposal of deceased animals shall be in accordance with State laws.

Section 5.13 Crop Cultivation

(A) **Definition:** The growing of plants for commercial sale.

(B) **Standards:** No additional standards.

Section 5.14 Data Center

(A) **Definition:** An enclosed facility housing servers and/or other computer equipment to store process, and distribute digital data for electronic devices.

(B) **Standards.** No additional standards.

Section 5.15 Drive-Thru

(A) **Definition:** A facility designed to serve customers in their cars from a window in the building, so that the cars are idled while being served, rather than parked

(B) **Standards.** The following regulations shall apply to businesses with drive-thru service.

(1) Minimum Frontage. The site shall have a minimum of two hundred (200) feet of frontage on primary road or highway.

(2) Location of Driveways. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets (measured from the nearest right-of-way line).

(3) Control of Sound Level. Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

Section 5.16 Dwelling Units

(A) **Single-family**

(1) Definition: A room, or rooms, within one independent structure, connecting together constituting a separate, independent dwelling unit for one family.

(2) Standards: No additional standards.

(B) **Multiple Family, Senior Housing, and Townhouse.**

(1) Definition: A building or complex of multiple buildings where each building contains at least two dwelling units. Buildings or complexes designed for senior housing, but not including assisted living, shall be considered "multi-family housing" for purposes of this Ordinance.

(2) Standards. The following site development standards shall apply to multiple family and housing developments:

(a) Maximum Density: A multiple family housing development shall not exceed ten units per gross acre of land.

(b) Access to Roads. Multiple family developments shall have direct access to a county primary road or state highway.

(c) Utilities. Multiple family developments shall be served by public water and sewer. Expansions and connections shall not be the financial responsibility of the Township.

(d) Community Amenities. Community amenities such as swimming pools, tennis courts, storage garages, playgrounds, laundry facilities, and other amenities shall be permitted as accessory uses, with the approval of the Planning Commission during the Special Use Approval process. Community amenities within residential housing complexes must be open to the residents only, and not to the general public (except as guests of a resident), unless the amenity would be permitted in the district as a principal use, in which case the management of the complex may choose to open the facility to the general public.

(C) **Manufactured Housing**

(1) Definitions:

(a) Manufactured Home: A building or portion of a building designed for long-term residential use that is designed to be transported to the site in a nearly complete form.

(b) Manufactured Housing Community: A lot containing more than two manufactured homes.

(2) Standards.

(a) One Manufactured Home. A single manufactured home on a lot shall be considered the same as a single-family home for the purposes of this Ordinance.

(b) Two Manufactured Homes. Lots with two manufactured homes that were existing and in place at the time of adoption of this Ordinance shall be considered conforming uses in the MH District and prohibited in all other districts. Following the adoption of this Ordinance, the placement of a second manufactured home on any lot shall be considered the same as creating an Accessory Dwelling Unit, and shall be subject to the regulations in subsection D.

(c) Requirements for Manufactured Housing Communities (Three or More Manufactured Homes). The creation of a Manufactured Housing Community shall be permitted in the MH District and be prohibited in all other districts. The regulations established by State law (Michigan Public Act 96 of 1987, as amended) and the Michigan Manufactured Housing Commission shall govern Manufactured Housing Communities. The applicant must demonstrate compliance with those regulations prior to the approval of the Special Use Permit, in addition to the standards below. In the event of a conflict, the more stringent regulation shall govern.

(i) Minimum Area of Individual Sites for Manufactured Homes: 5,500 square feet

(ii) Setbacks for Manufactured Homes:

1) **From Public Roadways:** 50 feet

2) **From Side and Rear Lot Lines of the Manufactured Housing Community:** 10 feet.

3) **From Private, Internal Roadways:** Consistent with the requirements of the Michigan Manufactured Housing Commission.

4) **Between Manufactured Homes:** Consistent with the requirements of the Michigan Manufactured Housing Commission.

(iii) Maximum Building Height (All Structures, including, but not limited to, Manufactured Homes): 35 feet

(iv) Accessory Buildings and Uses: Accessory buildings required for normal operation of the Manufactured Housing development such as stores, mechanical dispensers, equipment storage, coin operated laundry and dry-cleaning facilities may be permitted provided that such uses:

1) Shall not occupy more than ten percent (10%) of the total site;

2) Shall be subordinate to the residential use and character of the park;

3) Shall be located, designed, and intended to serve the trade or service needs of persons residing in the park.

(v) Signage: Signs purely for traffic regulation and direction within the Manufactured Housing Community may be utilized as required, in addition to the signage permitted in Article 11.

(vi) Road Design:

1) Two-way streets within a manufactured home development shall have a minimum width of 21 feet where no parallel parking is permitted, 31 feet where parallel parking is permitted along one side of the street, and 41 feet where parallel parking is permitted along both sides of the street. The minimum width of a one-way street shall be 13 feet where no parallel parking is permitted, 23 feet where parallel parking is permitted along one side and 33 feet where parallel parking is permitted along both sides.

2) All internal roads and parking facilities shall be provided with a paved surface in compliance with-the standards of the AASHTO Specifications referenced in Rule 922 of the [Michigan] Manufactured Housing Commission Rules. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to prevent the drainage of water onto adjacent property or toward buildings. No portion of any off-street parking area shall be considered part of the sidewalk system.

3) Sidewalks, which meet the standards established in Rule 928 of the [Michigan] Manufactured Housing Commission Rules, and AASHTO Standards shall be installed along one (1) side of all internal collector roads within the park and to the public right-of-way and to all service facilities including, but not limited to, central laundry, central parking, and central recreation/ park areas. Sidewalks shall also be required along that portion of a site fronting along public thoroughfares. Walks connecting the entrance of each manufactured housing unit to the balance of the park walk system shall be designed per Manufactured Housing Commission rules.

(vii) Utilities. The installation of utilities within a manufactured housing community shall be in accordance with the following requirements:

1) All electrical, telephone, and utility service shall be underground and specifically designed in conformance with the standards established in Rules 932(a), 934(a), 935(a), 937(2)(a), and 940 of the Manufactured Housing Commission.

2) All gas distribution lines shall be located underground. Each manufactured housing lot so served shall have the service line located underground to a connection point and the manufactured housing unit shall be supported so it cannot be abraded by the pad surface. If fuel oil is used, it shall be supplied from a central storage tank, with underground distribution and service lines to the individual manufactured home sites and shall be subject to the same requirements given herein for gas lines. The use of independent bottled gas service for individual manufactured housing units is prohibited. All heating systems shall be designed and installed in accordance with Rules 934 and 940 of the Manufactured Housing Commission.

3) Minimum standards for the home or installation of the home plumbing, heating, and electrical systems shall be those either set forth by the United States Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards or by ANSI (American National/Standards Institute) for manufactured housing units predating HUD.

4) All manufactured housing sites and all other buildings within the park shall be connected to the water system of the governmental jurisdiction, if it is available to the park, or to another state approved system. The park water system shall conform to parts 2-4 of the Michigan Department of Public Health (MDPH) Manufactured Housing Community Standards.

5) All manufactured housing sites and all other buildings within the park shall be connected to the sanitary sewerage system of the governmental jurisdiction if it is available to the park, or to other state approved systems. The park sanitary sewerage system shall conform to MDPH Manufactured Housing Community Standards.

6) All storm sewers shall be constructed in accordance with parts 2-4 of the MDPH Manufactured Housing Community Standards by the developer.

(viii) Skirting.

1) Skirting shall be installed around all manufactured housing units. Such skirting shall be compatible aesthetically with the appearance and construction of the manufactured housing unit all skirting shall be installed prior to the issuance of a Certificate of Occupancy. In the event that such installation is delayed due to weather, or for other similar reasons, a temporary certificate of occupancy may be issued for a period not to exceed ninety (90) days. All skirting shall meet the specifications established by the Michigan Manufactured Housing Commission Rules.

2) Individual manufactured housing units shall be skirted around the perimeter of the manufactured housing unit-to conceal the underbody from view. Skirting shall be vented in accordance with the requirements of Rule 604 of the Manufactured Housing Commission Rules. All skirting shall be manufactured of fire-resistant material and certified as such by the manufacturer. Skirting shall be installed in a manner so as to resist damage under normal weather conditions and shall be properly maintained.

(ix) Installation. Each manufactured housing site shall conform to Manufactured Housing Commission requirements of Rule 602 for installation of manufactured housing units. 10. Screening, buffering and landscaping. Manufactured housing communities shall provide the following screening, buffering and landscaping:

1) If a manufactured home development abuts an existing residential or non-residential development, the park shall provide screening along the boundary line abutting the adjacent development, if not in conflict with existing utilities.

2) The landscaping shall consist of evergreen trees or shrubs which are spaced so they provide a continuous screen at maturity.

3) Landscape material shall consist of evergreen trees a minimum of four (4) feet in height at installation and evergreen shrubs a minimum of three (3) feet in height at maturity.

4) Alternative screening techniques (earth berms, fences, etc.) may be approved by the Planning Commission based upon a landscape plan for the site if they conceal the manufactured home development as effectively as the required landscaping described above.

(x) Public health and safety.

1) Fire hydrants shall be installed in all manufactured housing communities, for which public water systems are available and shall be in compliance with the requirements and provisions of the current local fire code, including the requirement that there be no more than five hundred (500) feet between hydrants as measured along adjacent roadways within the manufactured housing community.

2) For the protection of the public safety, an orderly street name system and numbering system shall be established by the Manufactured housing community owner and a plan of this system shall be verified with the Fire Department serving the location. Manufactured housing space numbers shall be located uniformly on each space, manufactured housing unit or identification marker throughout the manufactured housing community and street names shall be accurately marked.

3) Cooking shelters, barbecue pits, fireplaces, and wood burning stoves shall be so located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance both on the site and on neighborhood property. Open fires shall not be allowed except in facilities provided and all such fires must be attended. No fuel shall be used, or items burned that emit dense smoke objectionable odors.

4) Every home shall be equipped at all times with fire extinguishing equipment in good working order, of a type, size, and number and so located within the home as to be in compliance with the applicable regulations of the Rules 702a of the Manufactured Housing Commission.

   a) No open fire shall be permitted at any place, which may endanger life or property.

   b) No fire shall be left unattended at any time.

5) Emergency access points shall be in compliance with the requirements of the applicable emergency services agencies.

6) Each manufactured housing unit shall have a safe and unobstructed primary exit, and an emergency exit located away from the primary exit.

(xi) Lighting. Street lighting shall be provided and paid for by the owner of the community and shall be approved by the Manufactured Housing Commission as to the adequacy of illumination. No spot or flood lights shall be used for lighting or advertising purposes. No other lighting for identification or advertising purposes shall have a visible source of illumination. No lighting shall shine on adjacent properties. All other lighting shall be in accordance with the State of Michigan, Act 96 of 1987, as amended.

(xii) Storage areas. All storage structures within a manufactured home park development shall meet the requirements of Rules 941 and 944 of the Manufactured Housing Commission.

(xiii) Open space. A manufactured home community that contains 50 or more home sites shall have not less than two (2) percent of the gross acreage of the total site dedicated to designated open space, but not less than 25,000 square feet.

(xiv) Telephone, television, or other communication technologies. Central television antenna systems, cable television, telephone, or other similar communication services shall have their distribution systems installed underground in compliance with local and state regulations.

(xv) Solid waste and resource recovery. The garbage and rubbish storage and disposal procedures in manufactured housing communities shall comply with Michigan Department of Environmental Quality Rules R325.3351-R325.3354.

(xvi) Severe weather warning and storm-fallout shelter. A manufactured housing developer shall comply with Manufactured Housing Commission Rule 706: R 125.1706 Severe weather warning; shelters Rule 706. Immediately upon occupancy, the community shall provide each community resident with written information indicating whether the local government provides a severe weather warning system or designated shelters and, if provided, describing the system and giving the nearest shelter location.

(xvii) Miscellaneous provisions.

1) Occupancy. A manufactured home park development shall be ready for occupancy when it has complied with Rule 214k and 214n of the Manufactured Housing Commission.

2) Removal of towing mechanisms. Towing mechanisms shall be removed from the manufactured housing dwelling at the time of dwelling installations and stored so as not to be visible from the exterior of the manufactured housing community.

3) The grounds of a manufactured housing community shall be graded to drain properly.

4) New or used manufactured homes in manufactured home developments, which are to remain on-site, may be sold by resident, development owner, licensed retailer or broker, provided the manufactured housing development management permits the sale.

5) All requirements of Act 96 of the Public Acts of 1987, as amended, shall apply.

6) The owner or operator of any manufactured housing community shall be responsible for all street construction and street maintenance within the confines of the manufactured housing community.

7) Fences on individual home sites shall be uniform in height, not to exceed thirty-six (36) inches, and shall be constructed in such a manner as to provide firefighters an access to at least two (2) gates.

(D) **Accessory Dwelling Units**

(1) Definition: A second dwelling unit associated with the principal dwelling which cannot be sold or leased separately from the principal dwelling unit.

(2) Standards. The following regulations shall apply to accessory dwelling units:

(a) Accessory Dwelling Units must be approved by Special Use prior to construction. See Section 3.01.

(b) Residence an Incidental Use. The accessory dwelling unit shall be clearly incidental to the principal residence on the site. Accordingly, the following conditions shall be met:

(i) Accessory dwelling units shall be established subordinate to owner-occupied homes only by means of a fully-enclosed, insulated and heated space, which may be attached to the principal structure, or may be in a detached accessory building.

(ii) Only one (1) such accessory residence shall be permitted on each parcel.

(iii) The total floor area of the accessory residence shall not exceed the floor areas of the principal residence.

(iv) Detached accessory residences must be at least 20 feet wide in all dimensions and must meet all requirements for accessory buildings in Section 6.02.

(c) Parking and Access. In addition to required parking for the principal residence, one additional parking space shall be provided for the accessory residence.

(E) **State Licensed Residential Facilities (Non-Daycare).**

(1) Definition: Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Childcare Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including adult foster care facilities**,** foster family homes**,** foster family group homes, family day care homes, and group day care homes.

(2) Standards. State Licensed Residential Facilities, except Child Day Care Homes or Group Day Care Homes, shall be subject to the following:

(a) Facilities requiring special use approval shall not be located nearer than 1,500 feet to another State Licensed Residential Facility that required special use approval.

(b) Off-street parking spaces shall be provided in a quantity sufficient to accommodate employees of the facility and visitors. However, the extent of pavement coverage of the front yard shall be limited to be visually compatible with the surrounding area.

(c) The home and property shall be maintained in a manner consistent with the visible characteristics of the surrounding neighborhood.

Section 5.17 Funeral Home or Mortuary

(A) **Definition:** An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held.

(B) **Standards.** The following regulations shall apply to Funeral Homes and Mortuaries:

(1) Assembly Area. Adequate assembly area shall be provided off-street for at least 15 vehicles to be used in funeral processions.

(2) Accessory Dwelling. An accessory dwelling may be provided within the main building of the funeral home or within an accessory building.

Section 5.18 Government and Public Building

(A) **Definition:** Principal structures dedicated to the use by the public or government operations. For the purposes of this Ordinance, Government or Public buildings shall include libraries, museums, municipal offices, County, State, or Federal Offices, police and fire stations, and other buildings used by the public or government. Exceptions: Primary/Secondary Schools, Institutions of Higher Education, public recreational facility buildings shall be defined as described in this section, and shall not be considered Government or Public buildings

(B) **Standards.** No additional standards.

Section 5.19 Family Day Care Home

(A) **Definition:** A private home (where the licensee permanently resides as a member of the household) with the approved capacity of 1 to 6 minor children to be cared for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children at a Family Childcare Home does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

(B) **Standards:**

(1) Location. Such facilities shall be located in the permanent residence of the operator.

(2) Number of Employees. Such facilities shall have no more than one full-time equivalent non-resident employee. This shall be considered an exemption from the prohibition on non-resident employees in Type 1 home-based businesses in Section 7.04.

(3) Fencing. The perimeter of any yard used for play or instruction shall be enclosed by a fence that is a minimum of four (4) feet in height to prevent children from departing or entering the yard without permission of an adult employee or the operator.

Section 5.20 Group Day Care Home

(A) **Definition:** A private home with the approved capacity of 7 to 12 minor children for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

(B) **Standards.**

(1) Location. Such facilities shall be located in the permanent residence of the operator.

(2) Number of Employees. Such facilities shall have no more than one full-time equivalent non-resident employee. This shall be considered an exemption from the prohibition on non-resident employees in Type 1 home-based businesses in Section 7.04.

(3) Fencing. The perimeter of any yard used for play or instruction shall be enclosed by a fence that is a minimum of four (4) feet in height to prevent children from departing or entering the yard without permission of an adult employee or the operator.

(4) Hours of Operation. Such facilities shall operate no more than 16 hours per day. There shall be no outdoor activity, noise or lighting beyond the boundaries of the site between the hours of 10:00 p.m. and 6:00 a.m.

Section 5.21 Hotel

(A) **Definition(s):** A building occupied as a more or less temporary abiding place for individuals who are lodged, with or without meals, in rooms connected by interior hallways, consisting of a minimum of one bedroom and a bath, occupied for hire, and which typically provides hotel services such as maid service, the furnishing and laundering of linens, telephone and desk service, the use of furniture, a dining room and meeting rooms.

(B) **Standards:** The following regulations shall apply to motels and hotels:

(1) Design. Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.

(2) Services. Motels and hotels shall provide customary motel and hotel services, such as maid service, linen service, telephone and/or desk service, and the use of furniture.

Section 5.22 Institution of Higher Education

(A) **Definition:** A facility dedicated to providing education and training primarily to persons that have already earned a high school diploma or equivalent.

(B) **Standards:** No additional standards.

Section 5.23 Manufacturing

(A) **Definitions:**

(1) Manufacturing (Generally): A use engaged in the creation of products, predominantly from previously prepared material of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

(2) Manufacturing - High Intensity: A use meeting the definition of manufacturing that, in the opinion of the Zoning Administrator, could have a substantial negative impact on surrounding residents, businesses, and/or the environment, including, but not limited to, noise, dust, odor, vibration, aesthetics, truck traffic, rail traffic, structure height, environmental contamination, impact on watersheds, significant use of natural resources or public services, or causing land on neighboring properties to become unstable or unbuildable. Additionally, all manufacturing uses encompassing more than 100,000 square feet of building, or outdoor storage or operational space, shall be considered High Intensity. Appeals of determinations by the Zoning Administrator that a manufacturing use is “high intensity” shall be to the Zoning Board of Appeals.

(3) Manufacturing – Low Intensity: A use meeting the definition of manufacturing that, in the opinion of the Zoning Administrator, does not meet the definition of “Manufacturing – High Intensity.”

(B) **Standards:** Manufacturing, whether determined to be “Low Intensity” or “High Intensity” shall only be approved if the Planning Commission determines that any potential negative impacts, such as noise, dust, odor, vibration, aesthetics, truck traffic, rail traffic, structure height, environmental contamination, or causing land on neighboring properties to become unstable or unbuildable, have been sufficiently mitigated by site design. The Planning Commission may impose additional landscaping, setback, or operational requirements on a manufacturing use, through the Special Use process, in order to mitigate negative impacts.

Section 5.24 Medical or Dental Clinic

(A) **Definition:** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A 'medical clinic' may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients but may not include facilities for overnight patient care or major surgery.

(B) **Standards:** No additional standards.

Section 5.25 Mineral Resource Extraction

(A) **Definition:** The removal or recovery from a given lot by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged, and provision of those materials to another party for financial consideration. Said definition does not include common household gardening, agricultural operations, construction of roadways, driveways, structures, or site improvements.

(B) **Standards:**

(1) A permit to mine shall not be issued for any parcel of land unless that parcel lies within the MR Mineral Resource Extraction District.

(2) A permit to mine is subject to Site Plan Approval under this Ordinance. Information requirements and standards of review, above and beyond those standards listed in Section 14.03, as listed in below, shall also be provided and reviewed accordingly. Approval of a site plan constitutes a permit to mine.

(a) Name and address of owner(s) of land from which removal will take place.

(b) Name, address and telephone number of person, firm or corporation who will be conducting the extraction and processing operation.

(c) Location, size and legal description of the total site area to be mined.

(d) Depiction, whether on a site plan or tabular, of the number of homes within 1,320 feet from the boundaries of the area of land under petition for site plan approval.

(e) Location, width and grade of all easements or rights-of-way on or abutting the area subject to extraction.

(f) A statement identifying federal, state and local regulations and permits required beyond those regulations required of this section.

(g) A hydro-geologic report of the proposed excavation site. Such a report shall, at a minimum, provide:

(i) A general description of subsurface conditions, including general soil types and depths.

(ii) Depth of water table throughout the planned excavation area, and if applicable, the name of the aquifers impacted.

(iii) A statement of the environmental impacts of the proposed excavation, including but not limited to the impact of the proposed excavation upon existing area wells.

(iv) A statement of the necessity to install monitoring wells.

(h) Division of property into cells (phases) and reclamation plan for both the total project and each cell and shall include:

(i) The method and direction of extraction.

(ii) Surface overburden stripping plans.

(iii) A description of the depth of grade level over the entire site from which the material will be removed.

(iv) Grading, re-vegetation, and stabilization plan that will minimize negative soil erosion, sedimentation and public safety issues.

(v) Landscaping provisions for buffer areas, landscaping and screening.

(vi) Description of location of each cell, number of acres included in each cell, estimated length of time to complete each cell, and the amount of time projected to complete the entire project.

(vii) Provide a conceptual representation of final anticipated landform, including generalized future development plans.

(i) Drainage on and away from the mining area showing directional flow of water in drainage ways, natural watercourses and streams, intermittent and flowing, including discharge from the extraction operation.

(j) The proposed exterior and interior haul routes that are expected to be the predominate traffic pattern for vehicles to and from the site. Exterior haul routes are to be determined by the CCRC, as statement of which shall be provided to the Planning Commission.

(k) The location and size of any processing equipment and/or structures.

(l) A detailed plan of operation for stripping topsoil and overburden, stockpiling, excavating and rehabilitating for each cell, or multiple cells.

(m) Measures to be taken by the applicant to control noise, vibration, dust and traffic.

(n) Accompanying the application shall be a road maintenance agreement between the corporation conducting the extraction operation and the Clinton County Road Commission.

(3) The minimum size of the petitioned property must be 10 acres or more. A variance must be received from the Zoning Board of Appeals prior to review by the Planning Commission for any proposed development less than 10-acres.

(4) The district shall have immediate and direct access to local roads capable of carrying the expected traffic prior to the commencement of the extraction operations. A statement from Clinton County Road Commission (CCRC) verifying the condition of the local road will be required prior to consideration by the Planning Commission.

(5) Existing legal non-conforming gravel pits shall become legal, conforming uses if rezoned to the Mineral Resource District.

(6) **Setbacks** in which no part of the mining operation may take place, excepting ingress or egress:

(a) Excavation shall not take place less than 20 feet from any adjacent property line. The Planning Commission may authorize the complete removal of material to an adjacent property line in situations where two (2) extraction operations share a common property. Such exception shall be based on review of the impact of the extraction on the adjacent operation and written authorization is received from both property owners.

(b) Excavation shall not take place less than 50 feet from any County road right-of-way or Michigan Department of Transportation right-of-way. The Planning Commission may authorize extraction to take place to within 20 feet of the county road right-of-way provided that the CCRC is in agreement, a barrier or berm is constructed within the 20-foot setback, and the excavated area is backfilled and stabilized within one (1) year of excavation.

(c) Processing plants and their accessory structures shall not be located closer than two hundred fifty (250) feet from the property lines of the district and public rights-of-way or closer than five hundred (500) feet from any dwelling unit or principal residential district (RR, R-1, R-2, MF, MH), and shall (where practicable) be as close to the center of the subject property, or cell as possible.

(d) Storage, mixing or processing of other aggregate and related materials (not Including asphalt or concrete mixing facilities) brought to the site from elsewhere is permitted, but must be located proximate to the processing plant and are subject to all the same restrictions as other aggregate material extracted and stored at the site.

(e) Interior haul routes shall not be located closer than 100 feet from a dwelling unit located on adjacent property, unless such property is zoned MR, Mineral Resource and the dwelling unit is legally non-conforming.

(7) **Fencing.** In establishing the requirements for fencing of the operation, the Planning Commission shall take into account the scale of the operation, the population density in the surrounding areas, and the potential hazard to the health, safety and welfare of the citizens of Eagle Township. If fencing is deemed a requirement of the permit to mine, the owner shall install and maintain fencing around the perimeter of the site or around the cell that is being mined. The fence shall consist of four (4) feet woven wire farm fence with one (1) strand of barbed wire on the top, or greater. The fence shall be securely attached to support posts not greater than 16.5 feet apart.

(8) Interior access roads, parking lots, haul loading and unloading areas shall be watered, or chemically treated so as to limit the nuisance caused by windblown dust.

(9) Should the final result of the excavation result in the creation of a body of water, the peripheral of the excavation shall be graded to a slope not to exceed 3' horizontal to 1' vertical to the seasonal low water level.

(10) The site shall be kept clean and orderly. Inoperable and partially dismantled equipment, vehicles, and other types of machinery and parts associated with the operation shall not be stored in an area visible to the public from adjacent property or residence, or from the public roadway. The Planning Commission may, at their discretion, approve a specific area for such use. The area shall be screened by landscaping, fence and/or berm.

(11) **Landscaping, screening, and berming.** Screening shall be provided for active cells, operational areas and material storage areas. Perimeter screening shall also be required for areas having a residential density of more than one (1) dwelling unit to five (5) acres within five hundred (500') feet of any given boundary of a petitioned site. Such screening shall consist of one or more of the following:

(a) Earth berms constructed to a height of six (6) feet above the mean elevation in the centerline of the adjacent public roadway or six (6) feet above the general level of terrain along property lines. Such berms shall have slopes that are not in excess of one (1) foot vertical to two (2) feet horizontal and shall be seeded to stabilize the soil. The berms shall also be shaped and formed to be consistent along the berms. Washout areas are to be repaired and stabilized.

(b) For perimeter landscaping, plantings of evergreen trees not more than fifteen (15') feet apart, in two (2) staggered rows parallel to the boundaries of the property which shall be at least two (2) feet in height at the time of planting. Trees that die prematurely must be replaced at the next available planting season. The applicant is strongly encouraged for areas that are left undisturbed for residential future development, or other purposes, be heavily planted to serve as a nursery, provide screening, and to add economic value to the area once residential uses are proposed. These areas may, at the discretion of the Planning Commission, be started with seedlings.

(c) The six (6) foot requirement for screening by means of a berm and/or plantings may be reduced by the Planning Commission if the particular site, terrain, and existing landscaping afford adequate screening.

(12) Reclamation. A cell shall be reclaimed by an operator pursuant to these rules by the end of the 5-year permit period or within the time set forth in the operator's reclamation plan approved by the Planning Commission.

(a) Cell units shall be reclaimed progressively as they are worked out to the extent that they shall be reasonably natural and inconspicuous and shall be reasonably lacking any hazards.

(b) Sufficient topsoil shall be stockpiled on the premise or stored in berms providing screening. Topsoil shall be promptly redistributed on abandoned areas or where extraction operations have been substantially discontinued for any period in excess of one (1) year. Such areas shall then be seeded with at least temporary protection the first year and by the second-year permanent seeding to stabilize the soil, lessen soil erosion potential and encourage proper growth.

(c) A layer of arable topsoil, of a quality approved by the Zoning Official shall be spread over the excavated area, except exposed rock surfaces, or areas lying below natural water level, to a minimum depth of four (4") inches in accordance with the approved contour plan.

(d) In the construction of the final grade, all slopes and banks shall be graded to a minimum of a 3:1 slope and treated in the following manner to prevent soil erosion and stabilize soils:

(e) Standards for seeding rates, fertilizer and mulching standards are to be based on the standards put forth by the USDA Natural Resource Conservation District. The applicant shall identify on the site plan in tabular form the type of seeding, fertilizer, and mulch as well as implementation rates.

(f) Fill and soils shall not be overly compacted and of sufficient quality to be well drained, non-swelling. If the reuse plan involves development of dwellings or other buildings fill and soils shall be of proper bearing capacity to support foundations, and septic systems.

(g) If the reuse plan involves a recreational or wildlife facility reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Michigan Department of Natural Resources.

(h) Upon cessation of mining operations and commencement of reclamation, the operating company, within a reasonable period of time, not to exceed twelve (12) months thereafter, shall remove all structures, building, stockpiles and equipment from the area to be reclaimed.

(13) Termination of operations.

(a) An operator shall submit written notice to the Zoning Administrator within six (6) months of abandonment of the extraction area or any portion thereof.

(b) When activities on or use of the mining area, or any portion thereof, have ceased for more than one (1) year, or when, by examination of the premises, the Zoning Official determines that the mining area or any portion thereof has in fact been abandoned, the Zoning Official shall give the operator written notice of their intention to declare the mining area or portion thereof abandoned. Within thirty (30) days following receipt of the notice, the operator shall have an opportunity to submit evidence that the use of the mining area or portion thereof is continuing. If the Zoning Official finds the evidence satisfactory, they shall not make the declaration.

(c) Areas that have been abandoned or are not in operation will be assessed for compliance with the approved site plan. Those items not in compliance will be listed and forwarded to the permit holder and a timeline given to obtain compliance. If compliance is not obtained within the specified time period, the permit holder shall be found in violation of the Eagle Township Zoning Ordinance giving the County the right commences financial guarantee, bond revocation.

(14) Financial guarantees.

(a) Before issuance of a permit, there shall be filed by the applicant a surety bond, executed by a reputable surety company authorized to do business in the State of Michigan, or an irrevocable bank letter of credit or cash bond running to Eagle Township, conditioned upon the prompt compliance with all provisions of this section and the approved site plan.

(b) The Planning Commission shall, in establishing the amount and type of financial guarantee, consider the scale of the operations, the prevailing cost to rehabilitate the property upon default of the operator, court costs and other reasonable expenses likely to be incurred by the County or the Township, where the mining operation is located.

(c) The total amount of the guarantee shall be based on the amount of acreage under permit within a given district, or overall, all project area. For each acre containing excavated ground, water and material storage, two thousand ($2000) dollars shall be bonded.

(d) The amount of bond may be reduced or increased at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself, but rather those features associated with the project, which are deemed necessary to protect the health, safety and welfare of Clinton County's resources and future users or inhabitants of the proposed project.

(e) If abandoned and the surety amount is not sufficient to properly restore the site to protect the health, safety and welfare of the community, the County reserves the right to prosecute the violation of the Ordinance and seek a lien against the property to complete restoration activities.

(15) Hours of operations.

(a) The owner(s) and/or operators shall conduct extraction, excavation, and processing only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day.

(b) The owner(s) and/or operators shall conduct loading and hauling only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Years Day.

(c) For documented situations beyond the permit holder's control, additional hours may be allowed by prior approval of the Zoning Official when it is shown that extenuating circumstances exist.

(16) Conditions and safeguards. The Planning Commission may impose such additional reasonable conditions and safeguards deemed necessary for the public health, safety or general welfare, for the protection of individual property rights, and for insuring the intent and purpose of this Ordinance. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

(17) Issuance of a permit to mine. Permits for surface mining shall be issued to the operator. When an operator disposes of his interest in an extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Zoning Official may release the operator from the duties imposed upon them by this Ordinance, as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the permit to mine may be transferred.

(18) Permit term. A permit to mine is valid for five (5) years. The operation shall be inspected a minimum of once a year by the Zoning Official and/or assigns to insure compliance with the permit and this Ordinance.

(19) Violations. Violation notices shall be issued pursuant to the provisions delineated in this Ordinance. Violation of the site plan shall be considered violation of this Ordinance.

(20) Modification of the general site plan.

(a) The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight.

(b) The Planning Commission may require the modification of the general site plan when:

(i) Modification of the site plan is necessary so that it will conform to the existing laws.

(ii) It is found that the previously approved plan is clearly impossible or clearly impractical to implement and maintain.

(iii) The approved plan is obviously not accomplishing the intent of the Ordinance.

Section 5.26 Mini-Warehouse

(A) **Definition:** A building or group of buildings, each of which contains several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Mini-warehouses are typically contained within a fenced, controlled-access compound. Also known as self-storage facilities.

(B) **Standards:**

(1) Lot Area. The minimum lot size for mini-warehouses and portable storage units shall be three (3) acres.

(2) Permitted Use. Mini-warehouse establishments shall provide for storage only. All such storage must be contained within an enclosed building. Use of semi-trailers for storage is prohibited. Portable storage units for lease or rent shall not be used for storage on the rental site. Electrical service, except for lighting, is prohibited within storage units.

(3) Resident Manager. Subject to Planning Commission approval, a resident manager may be permitted on the site for the purposes of maintaining the operation of the facility in conformance with the conditions of the approval.

(4) Primary access to the subject parcel shall be on a county primary road, as classified by the Clinton County Road Commission, or a state trunk line under the jurisdiction of the Michigan Department of Transportation.

(5) Incidental accessory uses such as the sale of boxes, locks, and other supplies shall be permitted inside a permanent building.

(6) The storage of toxic, corrosive, flammable, or hazardous materials is prohibited.

(7) The outdoor storage of motor vehicles, recreation vehicles, boats, etc. shall only be permitted if specifically authorized by the Planning Commission when granting the Special Land Use Permit. If outdoor storage is permitted, the requirements of Section 6.10 shall be met.

(8) Parking and Circulation.

(a) One (1) parking space shall be provided for each one-hundred (100) storage cubicles. The parking requirement can be met with the parking lanes required for the storage area.

(b) Two (2) additional parking spaces shall be required for the residence of personnel and/or the on-site manager.

(c) Two (2) additional parking spaces for customers shall be located adjacent to the rental office.

(d) All driveways and parking/ storage areas shall be paved

(e) Parking lanes and access aisles shall be required.. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.

Section 5.27 Office

(A) **Definition:** A room, suite of rooms, or building in which are located desks, chairs, tables, couches, bookcases (accounting, filing, recording, communication and/or stenographic) equipment for current use in the office business and personnel engaged in executive, administrative, professional, political, informative, research and/or clerical duties.

(B) **Standards:** No additional standards.

Section 5.28 Open-Air Business

(A) **Definition:** Any commercial use that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

(1) Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.

(2) Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.

(3) Outdoor display and sale of garages, swimming pools, playground equipment, and uses

(4) A commercial or industrial use conducted generally outside of a permanent building, which does not meet any of the following definitions:

(a) Agritourism (Section 5.03.A)
(b) Construction Contracting Yard (Section 5.11.A)
(c) Recreation – Outdoor (Section 5.35.A)

(B) **Standards.** The following regulations shall apply to Open-Air Businesses, whether operated year-round or on an intermittent basis:

(1) Parking Setback. Parking shall be setback a minimum of fifteen (15) feet from any road right-of-way line, unless otherwise noted. The area between the parking and the road right-of-way shall be landscaped in accordance with Article 10.

(2) Lot Width. The minimum lot width for open-air businesses shall be two hundred (200) feet.

(3) Loading and Parking. All loading and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.

(4) Storage of materials shall be on a surface with a permanent, durable, and dustless surface, graded and drained so as to properly manage stormwater.

(5) Ingress and egress shall be at least 100 feet from an intersection shall not block parking spaces, drive aisles, ingress/egress to any other building or structure, or fire department hose connections, and shall not otherwise create a safety hazard, in the opinion of the Zoning Administrator.

(6) Lighting shall comply with all applicable requirements of Section 6.06, unless specifically waived by the Planning Commission under Section 6.06.E.6.

(7) Area used for open air display shall not occupy any required space for parking, load, landscaping, or buffering.

(8) Storage and display areas shall comply with minimum setback requirements. Storage of soil, fertilizer, and similar loosely packed materials shall be contained and/or covered to prevent it from blowing and leaching.

(9) The outdoor storage of motor vehicles, boats, recreational vehicles, or home service equipment sales or rentals, manufactured homes, swimming pools, farm implements, and commercial construction equipment that are not available for sale shall be considered an "Open-Air Business" and shall be subject to all regulations of this section, as well as the requirements of Section 6.10.

Section 5.29 Outdoor Event

(A) **Definition**: A musical concert, festival, fair, carnival, show, or similar gathering at which music or entertainment is provided by performers or prerecorded means, at which members of the public are invited or admitted for a charge or for free, and at which the anticipated attendance is 500 people or greater.

(B) **Standards:**

(1) Outdoor Events are permitted by special use permit in the districts listed in Section 3.01 and must meet the following standards:

(a) Parcel Size. Outdoor Events shall be permitted only on parcels that are three (3) acres or larger.

(b) Hours of Operation. Outdoor Events shall not begin before 10:00 a.m. nor extend later than 10:00 p.m., unless otherwise permitted by the Planning Commission upon finding that longer hours will have no impact on use of surrounding property.

(c) Fencing. The premises shall be completely enclosed by a six (6) foot tall fence of sufficient strength to preclude persons in excess of the maximum permissible from gaining access and to aid in crowd control. The Township Fire Department shall determine the number of required gates in the fence based on the proposed number of attendees.

(d) Parking. Adequate parking spaces shall be provided for persons attending the Outdoor Event by motor vehicle. At minimum, one (1) off-street parking space shall be provided for every three (3) persons expected to attend or be employed at an Outdoor Event. Parking along the shoulder of any road shall be prohibited. Properly-marked barrier-free spaces shall be provided in accordance with the schedule in Section 8.01. A plan illustrating the proposed parking layout, including method of delineating spaces and drive aisles, shall be submitted for approval. The parking layout shall comply with the dimensional and other applicable requirements in Section 8.01 of the Zoning Ordinance, although paving shall not be required for a temporary Outdoor Event.

(e) Traffic Circulation and Control. A plan for traffic circulation and control shall be submitted for review. The plan shall include provisions for emergency vehicle access at all times. Provisions shall be made for an adequate number of traffic control officers to provide for the safe, orderly, and expeditious movement of traffic, prior to, during, and after the Outdoor Event. The adequacy of the plan shall be subject to approval by the Township Police and Fire Departments. The sponsors of the Outdoor Event shall pay for the cost of such traffic control.

(f) Security Guards. A minimum of two (2) security guards shall be provided. One (1) additional security guard shall be provided for each two hundred (200) people (or fraction thereof) expected to be in attendance above the initial two (200) people, unless the Township Police Department determines that greater or fewer guards are needed to preserve order and protection of property on and around the site of the Outdoor Event.

(g) Potable Water. Potable water shall be available in sufficient quantity and pressure for drinking and sanitation purposes for the entire Outdoor Event, including under conditions of peak demand. The water supply shall comply with applicable County and State laws and regulations.

(h) Toilet Facilities. A minimum of ten (10) toilet facilities shall be provided per five hundred (500) people anticipated to attend the Outdoor Event. In addition, two (2) toilet facilities shall be provided for each additional two hundred fifty (250) people. Public or common use toilets shall comply with Federal Americans with Disability (ADA) guidelines, which require that five percent (5%) of the total number, and not less than one (1) toilet facility per cluster of toilet facilities, shall be barrier-free. All toilet facilities shall be provided with soap and paper towels and shall comply with applicable County and State laws and regulations.

(i) Liquid Waste Disposal. Proper liquid waste disposal from the premises shall be provided so as to prevent a nuisance or menace to public health. If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with County and State laws and regulations.

(j) Solid Waste Disposal. Proper solid waste storage and removal shall be provided so as to prevent a nuisance or menace to public health. Storage shall be in covered containers having a minimum capacity of thirty-six (36) gallons, provided at a rate of one (1) container per one hundred (100) persons expected to attend the Outdoor Event. The sponsor of the Outdoor Event shall provide the Township with a true copy of an executed agreement with a licensed solid waste disposal firm, which agreement shall provide for proper removal of solid waste from the premises within twenty-four (24) hours following the Outdoor Event. For multiple day events, solid waste shall be removed from the premises every day.

(k) Electrical Service. A plan for providing electrical service to the site shall be submitted, which plan shall be subject to approval by the Zoning Administrator. All electrical wiring shall be installed in compliance with the Michigan Building Code.

(l) Noise Control. Sound or noise resulting from the Outdoor Event, when measured at the property line, shall not exceed the normal ambient sound level on adjacent property between the hours of 10:00 p.m. and 10:00 a.m. At all other times, the sound or noise level produced by the Outdoor Event shall not exceed normal ambient sound level on adjacent property by more than five (5) decibels. Furthermore, no sound or noise shall be produced that causes annoyance to or a threat to the health and safety of the occupants of the adjacent property.

(m) Illumination. Electrical illumination shall be provided to all areas that are intended to be occupied after dark. A lighting plan shall be submitted showing the location and types of lighting fixtures and level of illumination for open areas reserved for spectators, stage areas, parking areas, and restroom and concession areas.

(n) Communications Facilities. An emergency communication system shall be provided and maintained for the duration of the Outdoor Event, which system shall be subject to approval by the Township Police Department.

(o) Overnight Facilities. Those who attend an Outdoor Event shall not be allowed to remain on the premises overnight. Overnight use of the premises by performers or employees of the Outdoor Event may be permitted, however, subject to review of detailed plans for the accommodations for overnight use, such as camper or trailer parking, sanitation facilities, and bathing facilities.

(p) Signs. Signs shall comply with the standards for Approved Nonresidential Principal Uses in Article 11.

(q) Food Service. If food service is made available, it shall be delivered only through concessions licensed and operated in accordance with State and County laws and regulations.

(r) Medical Facilities. If determined necessary by the Township Police Department, emergency medical facilities shall be provided on the premises for the duration of the event.

(s) Prohibited Activities. It shall be unlawful to conduct or permit any obscene display or entertainment; to cause or create a disturbance by obscene or disorderly conduct; to permit consumption or use of or make available liquor, narcotics, or narcotic drugs.

(t) Fire Protection. Adequate fire protection shall be provided in accordance with guidelines provided by the Township Fire Department. Flammable vegetation and other fire hazards shall be removed from the site of the Outdoor Event. Equipment to extinguish fires, as required by the Township Fire Department, shall be provided. Open fires are prohibited.

(u) Performance Guarantee. A performance guarantee meeting the requirements of Section 16.06 shall be deposited with the Township to assure proper clean-up of the site in accordance with the clean-up plan that is required with the application.

(v) Insurance. The applicant shall acquire and maintain, at its sole expense, public liability insurance, naming the Township as an additional insured. The insurance shall be purchased from companies approved by the Commissioner of Insurance of the State of Michigan, and shall cover bodily injury, property damage and personal injury in amounts specified by the Township Supervisor. The applicant shall furnish and deliver certificates of insurance demonstrating the existence of the insurance in the minimum amounts required by the Township. Each certificate shall provide that the Township shall receive not less than thirty (30) days written notice of cancellation, expiration, or termination of the insurance.

Section 5.30 Pet Shop and Pet Grooming

(A) **Definition(s):**

(B) **Standards.**

(1) Enclosure. Pets shall not be permitted outside of enclosed buildings while being kept on the site.

(2) Clean and Sanitary Conditions. Such businesses shall be maintained in a clean and sanitary condition. Waste material, including feces and urine, shall be immediately removed.

Section 5.31 Preserve/Conservation Area

(A) **Definition**: A use of land solely dedicated to preserving or returning to a natural state of site, with few or no buildings or structures.

(B) **Standards.** No additional standards.

Section 5.32 Primary/Secondary School

(A) **Definition:** An educational institution serving students in any combination of grades between Kindergarten and high school graduation.

(B) **Standards.** No additional standards.

Section 5.33 Recreation – Indoor

(A) **Definition:** Indoor uses that are designed to provide the user with the opportunity to relax, engage in athletic activity, or engage in other leisure pursuits.

(B) **Standards.** No additional standards.

Section 5.34 Recreation - Outdoor

(A) **Definition:** Outdoor uses that are designed to provide the user with the opportunity to relax, engage in athletic activity, or engage in other leisure pursuits.

(B) **Standards**. Outdoor recreation facilities, such as, but not limited to, ski facilities, courses for off road vehicles and snowmobiles, baseball facilities, rugby fields and swimming pools, but not including trails, shall comply with the following regulations:

(1) General Requirements.

(a) Impact on Surrounding Properties. The location, layout, design, or operation of outdoor recreation facilities shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby properties. The Planning Commission may specify the hours of operation in order to assure compatibility with adjacent uses.

(b) Nuisance Impacts. Outdoor recreation uses shall not generate excessive noise, odors, dust, or other impacts, such that the continued use and enjoyment of adjacent properties would be impaired.

(c) Parking. All parking shall be set back a minimum of forty (40) feet from any residential district.

(d) Screening. Outdoor recreation uses shall be screened from view from adjacent property zoned for residential purposes, in accordance with Article 9.

Section 5.35 Religious Institution

(A) **Definition:** Any church, synagogue, mosque, temple or building which is used primarily for religious worship and related activities.

(B) **Standards:** The following regulations shall apply to all religious Institutions, including churches, synagogues, temples, etc.:

(1) Maximum Height. Religious institutions may exceed the maximum height standard for the districts in which they are located provided that the front, side and rear setbacks are increased by one (1) foot for every foot by which the building exceeds the maximum permitted height.

(2) Accessory Uses. The uses listed in the definition of Religious Institutions shall be permitted accessory to any Religious Institution. However, accessory uses shall comply with all relevant requirements of this Ordinance, including obtaining required Special Land Use approvals.

Section 5.36 Restaurant/Bar

(A) **Definition:** Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state.

(B) **Standards:** No additional standards. For outdoor seating standards, see Section 6.11.

Section 5.37 Retail Store

(A) **Definition:** A business that sells products or provides services on the premises directly to consumers. Uses that fit this definition but are defined elsewhere in this Ordinance shall be considered to fall under the more specific definition.

(B) **Standards:** No additional standards.

Section 5.38 Sexually Oriented Business

(A) **Definition:**

(1) The following shall be considered sexually oriented businesses, and therefore subject to this section:

(a) **Adult Arcade**: Any place to which the public is permitted or invited wherein coin-operated, slug operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc layers, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of 'specified sexual activities' or 'specified anatomical areas.'

(b) **Adult Book or Supply Store:** An establishment having ten percent (10%) or more of all usable interior, retail, wholesale, or warehouse space devoted to the distribution, display, or storage of books, magazines, and other periodicals and/or photographs, drawings, slides, films, video tapes, recording tapes, and/or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein), or an establishment with a segment or section devoted to the sale or display or such material. Such establishment or the segment or section devoted to the sale or display of such material in an establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as Adult Bookstore, Adult Novelty Store, or Adult Video Store. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an Adult Bookstore, Adult Novelty Store, or Adult Video Store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(c) **Adult Cabaret - A** nightclub, bar, restaurant, or similar commercial establishment which regularly features:

(i) Persons who appear in a state of nudity or semi-nude.

(ii) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

(iii) Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(d) Adult Motel - A hotel, motel or similar commercial establishment which:

(i) Offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or

(ii) Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or

(iii) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

(e) **Adult Motion Picture Theater or Adult Live Stage Performing:** An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein), for observation by patrons therein. Such establishment customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

(f) **Adult Outdoor Motion Picture Theater:** A drive-in theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein) for observation by patrons of the theater. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

(g) **Adult Physical Culture Establishment -** An “Adult Physical Culture Establishment” is any establishment club or business by whatever name designated, which offers or advertises, or is equipped or arranged so as to provide as part of its services, massages, body rubs, alcohol rubs, physical stimulation, baths, or other similar treatment by any person. The following uses shall not be included with the definition of any adult physical culture establishment:

(i) Establishments which routinely provide such services by a licensed physician, a licensed chiropractor, a licensed osteopath, a licensed physical therapist, a licensed practical nurse, or any other similarly licensed medical professional;

(ii) Electrolysis treatment by a licensed operator of electrolysis equipment;

(iii) Continuing instruction in material or performing arts or in organized athletic activities;

(iv) Hospitals, nursing homes, medical clinics or medical offices; and

(v) Barber shops or beauty parlors and/or salons that offer massage to the scalp, the face, or the neck and shoulders only.

(h) **Adult Theater** - A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nude, or live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities.”

(i) **Employee** - A person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise, and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises. This definition shall only apply within this Section 5.38.

(j) **Escort** - A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease or to engage in specific sexual activities with and for another person.

(k) **Escort Agency** - A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

(l) **Massage Parlor** - An establishment where a massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

(m) **Nude Model Studio** - Any place where a person who appears semi-nude, in a state of nudity, or who displays “specified anatomical areas” and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of Michigan or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

  (i) That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

  (ii) Where in order to participate in a class a student must enroll at least three days in advance of the class; and

  (iii) Where no more than one nude or semi-nude model is on the premises at any one time.

(n) **Nudity or a State of Nudity:** The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

(o) **Person:** An individual, proprietorship, partnership, corporation, association, or other legal entity.

(p) Semi-Nude or In a Semi-Nude Condition - The showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

(q) Sexual Encounter Center - A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

(i) Physical contact in the form of wrestling or tumbling between persons of the opposite sex, for a purpose other than an organized athletic competition, and while in a nude or semi-nude condition; or

(ii) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

(r) Sexually Oriented Business - An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, massage parlor, nude model studio, or sexual encounter center.

(s) Specified Anatomical Areas:

(i) The human male genitals in a discernibly turgid state, even if completely and opaquely covered; or

(ii) Less than completely and opaquely covered human genitals, pubic region, buttocks or a female breast below a point immediately above the top of the areola.

(t) Specified Sexual Activities means any of the following:

(i) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

(ii) Sex acts, actual or simulated, including vaginal or anal intercourse, oral copulation, masturbation, or

(iii) Excretory functions.

(B) **Standards:**

(1) Purpose. It is the purpose of this ordinance to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the Township, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the Township. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor the effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material.

(2) Uses constituting adult uses. Applicable uses considered under this section are found in Definitions. Such terms include: “Sexually Oriented Businesses” and “Specified Sexual Activities” and “Specified Anatomical Areas.”

(3) **Required spacing**. Sexually oriented businesses shall meet all of the following space requirements. Unless otherwise specified, the measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point of the building or structure used as part of the premises where a sexually oriented business is conducted to the nearest property line of a premise of the use listed below:

(a) At least one-thousand three hundred (1,300) feet from any other sexually oriented business. For this subsection, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.

(b) At least one-thousand three hundred (1,300) feet from all religious institutions.

(c) At least one thousand three hundred (1,300) feet from all public or private educational facilities including but not limited to child day care facilities, licensed child care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.

(d) At least one thousand three hundred (1,300) feet from all institutions providing human health services primarily for outpatients and medical care of the sick or injured including such facilities as doctor’s offices and emergency care facilities.

(e) At least one thousand three hundred (1,300) feet from the boundary of any residential district, including the R, RE, or MH districts or one thousand three hundred (1,300) feet from any property containing any one family or multiple-family residential use.

(f) At least one thousand three hundred (1,300) feet from any entertainment business, pool or billiard hall, coin operated amusement center, indoor and outdoor recreation, dance club catering primarily to teenagers, movie theaters, and similar uses frequented by minors under the age of 18.

(g) At least one thousand three hundred (1,300) feet from any public park or recreational area which has been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land within the Township which is under the control, operation, or management of the Township or any municipal park and recreation authorities.

(4) Other Standards

(a) The maximum size of the building shall be three thousand (3,000 sq ft.) square feet.

(b) The building and site shall be designed, constructed and maintained so material such as a display, decoration, or sign depicting, describing, or relating to activities or merchandise within the structure cannot be observed by pedestrians, motorists on a public right-of-way or from an adjacent land use.

(c) Sexually oriented businesses shall be located within a freestanding building. A shared or common wall structure or shopping center is not considered to be a freestanding building.

(d) The style, shape and color of the building materials shall be subject to approval by the Planning Commission and Eagle Township Board in consideration of the similarity and compatibility of said structure with other structures within a reasonable proximity.

(e) In addition to provisions of Article 9, a four and one-half (4-1/2) foot high brick or masonry wall shall be constructed to screen the parking lot from the adjacent public rights-of-way.

(f) No person shall reside in or permit any person to reside in the premises of a Sexually oriented business.

(g) No person operating a sexually oriented business shall permit any person under the age of eighteen (18) to be on the premises of said use either as an employee or customer.

(h) Sexually oriented businesses shall comply with all applicable federal, state, and local licensing regulations. Initial and annual proof of such compliance shall be a condition of special use approval and the continuance thereof.

(i) Any sign or signs proposed for the Sexually oriented business shall comply with the provisions of this Ordinance; may not otherwise include photographs, silhouettes, drawings, or pictorial representations of specified anatomical areas, specified sexual activities or obscene representations of the human form; and may not include animated or flashing illumination.

(j) Entrances to the proposed Sexually oriented business must be posted on both the exterior and interior walls, in a location clearly visible to those entering and exiting the business, and using clearly marked lettering no less than two (2) inches in height stating that: (1) “Persons under the age of 18 are not permitted to enter the premises,” and (2) “No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission.”

(k) No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining right-of-way of a public street or private street or a neighboring property.

(l) Hours of operation shall be limited to 10:00 AM to 10:00 PM, Monday through Saturday. All Sexually oriented businesses shall remain closed on Sundays and legal holidays.

(m) All off-street parking areas shall comply with this Ordinance and shall be illuminated after sunset during all hours of operation of the Sexually oriented business, and until one (1) hour after the business closes. The illumination shall be designed to provide a minimum level of brightness of one (1) foot candle, with a 3:1 uniformity ratio. The illumination shall not reflect on and shall be screened from adjoining properties.

(n) Any booth, room or cubicle available in any Sexually oriented business, except an adult motel, that is used by patrons for the viewing of any entertainment characterized by the showing of specified anatomical areas or specified sexual activities shall:

(i) Be handicap accessible to the extent required by law;

(ii) Be unobstructed by any floor, lock or other entrance and exit control device;

(iii) Have at least one (1) side totally open to a public, lighted aisle so that there is an unobstructed view of any occupant at all times from the adjoining aisle;

(iv) Be illuminated such that a person of normal visual acuity can, by looking into the booth, room or cubicle from its entrance adjoining the public lighted aisle, clearly determine the number of people within; and

(v) Have no holes or openings in any side or rear walls not relating to utility, ventilation or temperature control services or otherwise required by any governmental building code authority.

(o) All persons massaging any client or customer must be certified as a massage therapist by the American Massage Therapy Association or be a graduate of a school of massage therapy that is certified by the state, or similar qualifications which must be submitted to and approved by the township board.

(i) All massage clinics are subject to inspection by the building inspector and shall file reports as may be required by the township, at least annually, as to the names and qualifications of each person who administers massages under the authority or supervision of the massage establishment.

(ii) This definition shall not be construed to include a hospital, nursing home, medical clinic, or the office of a physician, surgeon, chiropractor, osteopath, or physical therapist duly licensed by the state, nor barbershops or beauty salons in which massages are administered only to the scalp, the feet, the face, the neck or the shoulder. This definition shall not be construed to include a nonprofit organization operating a community center, swimming pool, tennis court, or other educational, cultural, recreational, and athletic facilities for the welfare of the residents of the area.

(p) Sexually oriented businesses shall not be expanded in any manner without first applying for and receiving Special Use Approval.

(5) Conditions. Prior to the granting of approval for the establishment of any adult use, the Planning Commission may impose any such conditions or limitations upon the establishment, location, construction, maintenance, or operation of the special land use as in its judgment may be necessary for the protection of the public interest. Any evidence bond or other performance guarantee may be required, as proof that the conditions stipulated in connection therewith will be fulfilled.

Section 5.39 Shooting Range

(A) **Definition:** A commercial facility for the safe and secure use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting. The Zoning Administrator shall have the authority to determine that a gun range on residential or agricultural property is of such a large scale and scope so as to be commercial in nature. Appeals of the decisions of the Zoning Administrator in this regard shall be to the Zoning Board of Appeals.

(B) **Standards.**

(1) Sound Control. Sound control and other systems shall be provided which will protect the users and employees of the range.

(2) Disposal of by-products of the range. In no case shall there be the disposal of rubbish, litter, or other by-products of the range in such a manner as to be obnoxious, offensive or in conflict with the general public health, safety and welfare.

(3) Best management practices. In all cases the range shall use best management practices in dealing with lead, lead dust and other lead byproducts of an indoor Shooting Range.

(4) Building materials. The building materials and interior architectural systems used in the Shooting Range shall be designed and constructed in a manner which will prevent projectiles from penetrating the walls or ceilings and contain all projectiles from reaching the outside of the building.

(5) Commercial sale of guns or ammunition. The indoor range may include a commercial operation area for the sale of guns or ammunition and ancillary equipment provided this area is ancillary to the primary use, an indoor Shooting Range.

(6) Permits and licenses. Copies of all Federal, state, county or local permits or licenses must be submitted to the Township.

(7) The hours of operation must be approved by the Planning Commission.

Section 5.40 Solar Energy System (Small or Large)

(A) **General Requirements**. All Solar Energy Systems are subject to the following general requirements:

(1) All Solar Energy Systems must conform to the provisions of this Ordinance and all County, State, and Federal regulations and safety requirements as well as applicable industry standards.

(2) Solar Energy Systems shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or roadways at any time of the day.

(B) **Small Solar Energy Systems.**

(1) Definition: A Solar Energy System used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid.

(2) Standards.

(a) Roof or Building Mounted Small Solar Energy System. Roof or building mounted Small Solar Energy Systems shall be considered an accessory use in all zoning districts, subject to the following requirements:

(i) No part of a Solar Energy System mounted on a roof shall be installed closer than three (3) feet from the edges of the roof, the peak, or eave or valley in order to maintain pathways of accessibility.

(ii) In the event that a roof or building mounted Small Solar Energy System has been abandoned (meaning not having been in operation for a period of one (1) year), it shall be removed by the property owner within six (6) months from the date of abandonment.

(iii) A building permit shall be required for installation of roof or building mounted Small Solar Energy System. A permit to operate such system shall be issued, and that permit shall be renewed every five years.

(b) Ground Mounted Small Solar Energy Systems. Ground mounted Small Solar Energy Systems shall be considered an accessory use in all zoning districts, subject to the following requirements:

(i) Prior to the installation of a ground mounted Solar Energy System, the property owner shall submit a site plan to the Zoning Administrator. The site plan shall include setback, panel size, and the location of line property lines, building, fences, greenbelt, and road right of ways.

(ii) A ground mounted Solar Energy System shall not exceed the maximum building height for adjacent accessory building, but in no case shall the maximum height of any ground mounted Solar Energy System exceed fifteen (15) feet above the ground when oriented at maximum tilt.

(iii) A ground mounted Small Solar Energy System shall be located in the rear yard and shall meet the rear yard setback requirements applicable in the zoning district in which the Solar Energy System will be located.

(iv) All power transmission or other lines, wires or conduits from a ground mounted Small Solar Energy System to any building or other structure shall be located underground. If batteries are used as part of the ground mounted Solar Energy System, they must be placed in a secured container or enclosure.

(v) A ground mounted Small Solar Energy System shall be considered a structure and shall be included in lot coverage calculations.

(vi) In the event that a ground mounted Small Solar Energy System has been abandoned (meaning not having been in operation for a period of one (1) year), the property owner shall notify the Township and shall remove the system within six (6) months from the date of abandonment.

(vii) A building permit shall be required for installation of a ground mounted Small Solar Energy System. A permit to operate such system shall be issued, and that permit shall be renewed every five years.

(C) **Large Solar Energy Systems.**

(1) Definition: A Solar Energy System where the principal design, purpose or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

(2) Standards. In addition to any other requirements for special use approval, Large Solar Energy Systems shall be ground mounted and are subject to the following requirements:

(a) Large Solar Energy Systems shall only be permitted as a special land use within the following parcels, which shall be designated as the O-WSB Wind Solar Battery Overlay:

070-036-200-025-00
070-036-200-005-50
070-036-200-005-00
070-036-100-010-00
070-036-100-020-00
070-036-100-025-00

(b) The property owner or applicant for a Large Solar Energy System shall provide the Planning Commission with proof of ownership of the subject property, a copy of any lease agreement for a Large Solar Energy System, together with an operations agreement, which shall set forth the operations parameters, the name and contact information of the certified operator, inspection protocol, emergency procedures and general safety documentation.

(c) Application Requirements: addition to the requirements of Article 14, applicants shall provide the Township with all of the following:

(i) Application fee in an amount set by resolution of the Township Board.

(ii) A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.

(iii) A list of all parcel numbers that will be used by the Large Solar Energy System; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.

(iv) An operations agreement setting forth the operations parameters, the name and contact information of the operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.

(v) Current photographs, videos, and topography maps of the subject property.

(vi) A conceptual plan that consists of a graphical computer-generated depiction of how the Large Solar Energy System will appear from all directions.

(vii) A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the Large Solar Energy System will be connected to the power grid.

(viii) A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed Large Solar Energy System.

(ix) A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.

(x) A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Large Solar Energy System, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the UBESS and restore the subject parcels, which is subject to the Township's review and approval.

(xi) Financial security that meets the requirements of this Section, which is subject to the Township's review and approval.

(xii) A plan for resolving complaints from the public or other property owners concerning the construction and operation of the Large Solar Energy System, which is subject to the Township's review and approval.

(xiii) A plan for managing any hazardous waste, which is subject to the Township's review and approval.

(xiv) A written emergency response plan detailing the applicant's plan for responding to emergencies, including fire emergencies, and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the applicant shall identify its plan for providing those resources. The emergency plan shall include identification of potential hazards to adjacent properties, public roadways, and to the community in general that may be created, as well as plans for immediate cleanup, long-term monitoring, and continued mitigation efforts following an emergency.

(xv) A fire protection plan, which identifies the fire risks associated with the Large Solar Energy System; describes the fire suppression system that will be implemented, including the manufacturer of the fire suppression system, its operations, and its capacity to extinguish fires; describes what measures will be used to reduce the risk of fires re-igniting (i.e., implementing a "fire watch"); identifies the water sources that will be available for the local fire department to protect adjacent properties; identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions.

(xvi) A written description of specialized training and/or equipment necessary for handling fires and/or other emergencies at the Large Solar Energy System site. The training plan must include, at a minimum, annual emergency response training for local firefighters and other local emergency personnel at the site of the UBESS.

(xvii) A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.

(xviii) An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the UBESS, which is subject to the Township's review and approval.

(xix) Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the Township.

(xx) A ground cover vegetation establishment and management plan.

(xxi) Proof of the owner/operator's required insurance.

(xxii) Compliance with the Michigan Uniform Building Code and National Electric Safety Code. Construction of Large Solar Energy Systems shall comply with the most current version of the Michigan Uniform Building Code and National Electrical Code adopted by the enforcing agencies as a condition of any special land use permit under this Section.

(xxiii) Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

(d) Site Plan Requirements: In addition to the requirements of Article 14, applicants site plans shall include all of the following:

(i) Location of all proposed structures and buildings, including equipment, transformers, and substations, on the subject parcel.

(ii) Location of all existing structures or buildings on the subject parcel and location of all existing structures or buildings on adjacent parcels within 1,000 feet of the property lines of the subject parcel.

(iii) Depiction of all setbacks, property lines, fences, signs, greenbelts, screening, drain tiles, easements, flood plains, bodies of water, proposed access routes, and road rights of way.

(iv) Indication of how and where the system will be connected to the power grid.

(v) Plan for any land clearing and grading required for the installation and operation of the system.

(vi) Plan for any ground cover establishment and management.

(vii) Anticipated construction schedule and completion date. As a condition of any special land use or site plan approval, hours of construction shall be limited to Monday through Friday from 7:00 a.m. to 5:00 p.m. with no construction on Saturday, Sunday, or any federally recognized holiday.

(viii) Sound modeling study including sound isolines extending from the sound sources to the property lines.

(ix) Any additional studies requested by the Planning Commission, including but not limited to the following:

1) *Visual Impact Assessment*. A technical analysis by a third-party qualified professional of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscaping and other screening measures), a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.

2) *Environmental Analysis*. An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to, removal of trees, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis will identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.

3) *Stormwater Study*. An analysis by a third-party qualified professional studying the proposed layout of the Large Solar Energy System and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event. Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.

4) *Glare Study*. If the UBESS includes solar panels, then an analysis by a third-party qualified professional to determine if glare from the solar panels will be visible from nearby airports, air strips, residences, and roadways may be required. The analysis will consider the changing position of the sun throughout the day and year and its influences on the solar panels.

(x) Applicants shall submit a conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan shall consist of a map and summary of the proposed development or land use, indicating the lands to be included, a brief description of the proposed project, a timeline for the proposed project, and any other information applicant deems necessary to provide the Planning Commission with a general overview and layout of the proposed project. The conceptual layout plan shall be reviewed by the Planning Commission to allow for discussion and feedback to the applicant.

(xi) Final site plan approval may be granted only after the applicant receives all required federal, state, and local approvals, including any applicable approval by the state historic preservation office. Applicant shall provide copies of all review letters, final approved plans, and reports issued by any other governing agencies to the Township.

(xii) The site plan must show the existing topographical grades in two-foot intervals and conditions of all property included in the Large Solar Energy System at the time of application.

(xiii) A baseline soil test including Cation Exchange Capacity (CEC) shall be provided to the Township prior to any construction.

(xiv) A written description of how the applicant will address dust control during construction. Such plan shall, at a minimum, consist of water applications at least three times per day unless it has rained in the preceding three hours of the planned application.

(e) All structures associated with the Large Solar Energy System shall be set back at least 100 feet from all public roads, and all property lines adjacent to a lot that does not contain any structures associated with the Large Solar Energy System. If the Large Solar Energy System extends over multiple parcels, then the required setback from lot lines adjacent to a lot that is part of the Large Solar Energy System shall be ten feet.

(f) The height of the Large Solar Energy System and any mounts shall not exceed fifteen (15) feet when oriented at maximum tilt.

(g) Prior to installation, the applicant shall submit a descriptive site plan to the Planning Commission which includes where and how the Large Solar Energy System will connect to the power grid.

(h) No Large Solar Energy System shall be installed until evidence has been given to the Planning Commission that the electric utility company has agreed to an interconnection with the electrical grid or a power purchase agreement. Any such agreement shall be furnished to the Planning Commission.

(i) Environmental Regulations.

(i) Site Clearing. Clearing of natural vegetation shall be limited to what is necessary for construction, operation, and maintenance of the Large Solar Energy System. No more than two (2) inches of topsoil shall be moved from the original landscape. Other items, such as lumber, stones, etc., may be removed upon written consent of the Planning Commission.

(ii) Herbicides and Pesticides Prohibited. The use of herbicides pesticides is prohibited.

(iii) Baseline Soil Testing. Prior to commencing any construction or installation of a Large Solar Energy System, the owner of the facility or the property must submit a baseline soil test to the Township.

(iv) Wetland and Water Body Setback: The Large Solar Energy System must be set back at least 50 feet from the edge of any regulated wetland or naturally occurring body of water.

(j) Greenbelt Buffer. A Large Solar Energy System must be screened by a greenbelt buffer between the use and all adjacent rights-of-way and adjacent properties. Greenbelt buffers must all of the following criteria:

(i) Greenbelts must have a minimum width of ten (10) feet and may be interrupted only to provide for pedestrian or vehicular access.

(ii) Greenbelts shall be planted with appropriate ground covers.

(iii) A mixture of deciduous shade trees, ornamental trees, evergreen trees, and shrubs shall be planted along the greenbelt buffer at a minimum concentration of one (1) tree and three (3) shrubs per 15 linear feet of greenbelt length along a property line or street frontage.

(k) Drainage.

(i) Prior to approval of an application, all drains, culverts, and other stormwater drainage infrastructure within the boundaries of the Large Solar Energy System and parcels that are immediately adjacent to the Large Solar Energy System must be inspected to determine if there is any existing damage or other impediments to the efficient operations of the stormwater system. Prior to the construction of any approved Large Solar Energy System all damage identified by the inspection must be repaired by the solar farm owner/operator. Following completion of construction of the solar energy facility, the stormwater infrastructure must be inspected again to ensure that no damage has been incurred during construction.

(ii) All drains, culverts, and other stormwater drainage infrastructure within the Large Solar Energy System, and parcels that are immediately adjacent to the Large Solar Energy System, must either be County-owned or must be subject to an easement clearly designating permanent maintenance responsibility over the stormwater infrastructure to the owner of the large freestanding solar array.

(iii) Prior to approval of the Special Use permit by the Planning Commission, the large freestanding solar array applicant must obtain written confirmation from the County Drain Commissioner that stormwater drainage will not be impacted, or that any impacts will be mitigated without negative impacts on any nearby lots.

(iv) Any damage to underground drainage tiles, or other stormwater infrastructure or County Drains caused during the installation and ongoing operation of the large freestanding solar array shall be repaired by the large freestanding solar array owner within 30 days of discovery of the damage. The Planning Commission may extend this deadline upon determination that the large freestanding solar array owner has made good faith progress towards the repair.

(l) Decommissioning. To ensure proper decommissioning of a UBESS upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

(i) The amount of each UBESS security guarantee, shall be the average of at least two independent (applicant) demolition (removal) quotes obtained by the Planning Commission and approved by the Township Board. If the quantity of quotes obtained is two (2), the formula should be (quote 1 + quote 2) divided by two.

(ii) Quotes shall be based on individual UBESS removal and shall not group multiple UBESS simultaneous removals together. Quotes shall be ordered and obtained by the Township from established demolitions companies. Quotes shall not include salvage values. The cash deposit shall be updated every two (2) years at the rate of 1.5 times CPI (consumer price index) for each year. b) Such financial guarantee shall be deposited with the Township Treasurer after a special use has been approved but before construction operations begin on the UBESS project. Failure to keep such financial security in full force and effect at all times while the structure exists shall constitute a material and significant violation of a special use approval and this ordinance and shall subject the Applicant to all available remedies to the Township, including enforcement action, fines, revocation of the special use approval and UBESS removal. The Applicant shall be responsible for the payment of all attorney fees and other costs incurred by the Township in the event that the structure is not voluntarily removed, and the Township has to enforce removal.

(iii) The Applicant/Owner and Operator shall execute any and all document (as provided or approved by the Township), sufficient to provide the Township with a perfected security interest in monies deposited with the Township for the purpose of decommissioning any UBESS.

(D) **Large Solar Energy Systems Under PA 233**: On or after November 29, 2024, once PA 233 of 2023 is in effect, then the following provisions apply to Large Solar Energy Systems.

To the extent the following provisions conflict with the provisions in Sections 5.39(A)-(C), these provisions control as to Large Solar Energy Systems with a nameplate capacity of 50 megawatts or more. All provisions in Sections 5.39(A)-(C) that do not conflict with this subsection D remain in full force and effect and shall be applicable to all Large Solar Energy Systems regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to Large Solar Energy Systems with a nameplate capacity of less than 50 megawatts.

(1) **Setbacks.** Large Solar Energy Systems must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

(2) **Fencing.** Fencing for Large Solar Energy Systems must comply with the latest version of the National Electric Code as November 29, 2024, or as subsequently amended.

(3) **Height.** Solar panel components must not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.

(4) **Noise.** The Large Solar Energy System must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(5) **Lighting.** The Large Solar Energy System must implement dark sky-friendly lighting solutions.

(6) Environmental Regulations. The Large Solar Energy System must comply with applicable state or federal environmental regulations.

(7) Host Community Agreement. The applicant for a special land use permit for a Large Solar Energy System shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Solar Energy System owner must pay the Township $2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 5.41 Theater

(A) **Definition:** A facility designed to accommodate groups of people viewing an artistic performance or motion picture. Theaters may be drive-in or indoor.

(B) **Standards:** No additional standards.

Section 5.42 Utility-Scale Battery Energy Storage Systems

(A) Definitions:

(1) *Battery management system* means an electronic regulator that manages a utility-scale battery energy storage system by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and capable of shutting down the system before operating outside safe parameters.

(2) *Utility-scale battery energy storage facilities* means one or more devices, assembled together, capable of storing energy in order to supply electrical energy, including battery cells used for absorbing, storing, and discharging electrical energy in a utility-scale battery energy storage system with a battery management system.

(3) *Utility-scale battery energy storage system ("UBESS")* means a physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a battery management system.

(B) General Provisions: All UBESS are subject to the following requirements:

(1) All UBESS must conform to the provisions of this Ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes, applicable industry standards, and NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems."

(2) The Township may enforce any remedy or enforcement, including but not limited to the removal of any UBESS pursuant to the Township Zoning Ordinance or as otherwise authorized by law if the UBESS does not comply with this Section.

(3) UBESS are permitted in the Township only as a special land use within the following parcels, which shall be designated as the O-WSB Wind Solar Battery Overlay:

070-036-200-025-00
070-036-200-005-50
070-036-200-005-00
070-036-100-010-00
070-036-100-020-00
070-036-100-025-00

(C) Application Requirements: UBESS are permitted as a special land use and require a special land use permit under Article 14. In addition to the requirements of Article 14, applicants shall provide the Township with all of the following:

(1) Application fee in an amount set by resolution of the Township Board.

(2) A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.

(3) A list of all parcel numbers that will be used by the UBESS; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.

(4) An operations agreement setting forth the operations parameters, the name and contact information of the operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.

(5) Current photographs, videos, and topography maps of the subject property.

(6) A conceptual plan that consists of a graphical computer-generated depiction of how the UBESS will appear from all directions.

(7) A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the UBESS will be connected to the power grid.

(8) A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed UBESS.

(9) A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.

(10) A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the UBESS, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the UBESS and restore the subject parcels, which is subject to the Township's review and approval.

(11) Financial security that meets the requirements of this Section, which is subject to the Township's review and approval.

(12) A plan for resolving complaints from the public or other property owners concerning the construction and operation of the UBESS, which is subject to the Township's review and approval.

(13) A plan for managing any hazardous waste, which is subject to the Township's review and approval.

(14) A written emergency response plan detailing the applicant's plan for responding to emergencies, including fire emergencies, and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the applicant shall identify its plan for providing those resources. The emergency plan shall include identification of potential hazards to adjacent properties, public roadways, and to the community in general that may be created, as well as plans for immediate cleanup, long-term monitoring, and continued mitigation efforts following an emergency.

(15) A fire protection plan, which identifies the fire risks associated with the UBESS; describes the fire suppression system that will be implemented, including the manufacturer of the fire suppression system, its operations, and its capacity to extinguish fires; describes what measures will be used to reduce the risk of fires re-igniting (i.e., implementing a "fire watch"); identifies the water sources that will be available for the local fire department to protect adjacent properties; identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions.

(16) A written description of specialized training and/or equipment necessary for handling fires and/or other emergencies at the UBESS site. The training plan must include, at a minimum, annual emergency response training for local firefighters and other local emergency personnel at the site of the UBESS.

(17) A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.

(18) An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the UBESS, which is subject to the Township's review and approval.

(19) Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the Township.

(20) A ground cover vegetation establishment and management plan.

(21) Proof of the owner/operator's required insurance.

(22) Compliance with the Michigan Uniform Building Code and National Electric Safety Code. Construction of Utility-Scale Battery Energy Storage Facilities shall comply with the most current version of the Michigan Uniform Building Code and National Electrical Code adopted by the enforcing agencies as a condition of any special land use permit under this Section.

(23) Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

(D) **Site Plan Requirements**: UBESS are permitted as a special land use and require site plan approval under Article 14. In addition to the requirements of Article 14, applicants site plans shall include all of the following:

(1) Location of all proposed structures and buildings, including equipment, transformers, and substations, on the subject parcel.

(2) Location of all existing structures or buildings on the subject parcel and location of all existing structures or buildings on adjacent parcels within 1,000 feet of the property lines of the subject parcel.

(3) Depiction of all setbacks, property lines, fences, signs, greenbelts, screening, drain tiles, easements, flood plains, bodies of water, proposed access routes, and road rights of way.

(4) Indication of how and where the system will be connected to the power grid.

(5) Plan for any land clearing and grading required for the installation and operation of the system.

(6) Plan for any ground cover establishment and management.

(7) Anticipated construction schedule and completion date. As a condition of any special land use or site plan approval, hours of construction shall be limited to Monday through Friday from 7:00 a.m. to 5:00 p.m. with no construction on Saturday, Sunday, or any federally recognized holiday.

(8) Sound modeling study including sound isolines extending from the sound sources to the property lines.

(9) Any additional studies requested by the Planning Commission, including but not limited to the following:

(a) *Visual Impact Assessment*. A technical analysis by a third-party qualified professional of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscaping and other screening measures), a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.

(b) *Environmental Analysis*. An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to, removal of trees, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis will identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.

(c) *Stormwater Study*. An analysis by a third-party qualified professional studying the proposed layout of the UBESS and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event. Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.

(d) *Glare Study*. If the UBESS includes solar panels, then an analysis by a third-party qualified professional to determine if glare from the solar panels will be visible from nearby airports, air strips, residences, and roadways may be required. The analysis will consider the changing position of the sun throughout the day and year and its influences on the solar panels.

(10) Applicants shall submit a conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan shall consist of a map and summary of the proposed development or land use, indicating the lands to be included, a brief description of the proposed project, a timeline for the proposed project, and any other information applicant deems necessary to provide the Planning Commission with a general overview and layout of the proposed project. The conceptual layout plan shall be reviewed by the Planning Commission to allow for discussion and feedback to the applicant.

(11) Final site plan approval may be granted only after the applicant receives all required federal, state, and local approvals, including any applicable approval by the state historic preservation office. Applicant shall provide copies of all review letters, final approved plans, and reports issued by any other governing agencies to the Township.

(12) The site plan must show the existing topographical grades in two-foot intervals and conditions of all Participating Property at the time of application.

(13) A baseline soil test including Cation Exchange Capacity (CEC) shall be provided to the Township prior to any construction.

(14) A written description of how the applicant will address dust control during construction. Such plan shall, at a minimum, consist of water applications at least three times per day unless it has rained in the preceding three hours of the planned application.

(E) System and Location Requirements: In addition to the requirements of the relevant zoning district, the site development requirements shall meet or exceed all of the following:

(1) Lighting of the UBESS is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the UBESS. The UBESS must not produce any glare that is visible to neighboring lots or to persons traveling on public or private roads. Flashing or intermittent lights are prohibited.

(2) Security fencing must be installed around all electrical equipment related to the UBESS. Appropriate warning sings must be posted at safe intervals at the entrance and around the perimeter of the UBESS.

(3) Greenbelt screening is required around any UBESS and around any equipment associated with the system to obscure, to the greatest extent possible, the UBESS from all sides.

(a) Screening shall be installed to obscure the UBESS and shall contain two rows of staggered evergreen trees planted not greater than twelve (12) feet apart trunk to trunk, and the two rows shall be no greater than ten (10) feet apart. Any substitution shall be approved in advance by the Planning Commission. No species of any Arborvitae shall be permitted.

(b) Planting shall be at least eight (8) feet tall at time of planting, measured from the top of the root ball to the base of the leader (not including the height of the leader) and reasonably expected to reach a height of ten (10) feet within three (3) growing seasons.

(c) The trees may be trimmed but shall maintain a height of at least eighteen (18) feet.

(d) Evergreen trees shall be Norway Spruce.

(e) Good arboricultural techniques shall be followed with respect to vegetation, including but not limited to, proper pruning, proper fertilizing, and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and shall be replanted in a manner consistent with this Section at the next appropriate planting time. Each dead or diseased vegetation shall be completely replaced at 50% as determined by the Zoning Administrator. Annual review by a Professional Arborist, paid for by the owner/operator, shall be performed to determine any plant/vegetation replacement necessary to remain in compliance with the ordinance.

(f) UBESS also shall comply with the landscaping standards in Article 9.

(g) Front, side, and rear yard screening is required if the UBESS is adjacent to a non-participating property.

(4) All noise measurements are to be instantaneous and shall not be averaged. The noise generated by a UBESS must not exceed the following limits, as measured at the property line of any adjacent parcel:

(a) 40 dBA Lmax between the hours of 7:00 a.m. and 9:00 p.m.

(b) 35 dBA Lmax between the hours of 9:00 p.m. and 7:00 a.m.

(c) The owner/operator of the UBESS shall annually provide for a sound analysis or modeling, conducted by an auditory expert chosen by the Township, at the expense of the applicant.

(5) All power transmission or other lines, wires, or conduits from a UBESS to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.

(6) The UBESS must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tile at least once every two years by means of robotic camera, with the first inspection occurring before the UBESS is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

(7) Fire Protection.

(a) Before any construction of the UBESS begins, the Township's fire department (or fire department with which the Township contracts for fire service) will review the fire protection plan submitted with the application. The fire chief will determine whether the fire protection plan adequately protects the Township's residents and property and whether there is sufficient water supply to comply with the fire protection plan and to respond to fire or explosion incidents. If the fire chief determines that the plan is adequate, then the fire chief will notify the Township Supervisor of that determination. If the fire chief determines that the plan is inadequate, then the fire chief may propose modifications to the plan, which the applicant or operator of the UBESS must implement. The fire chief's decision may be appealed to the Township Board, and the Township Board will hear the appeal at an open meeting. The Township Board may affirm, reverse, or modify the fire chief's determination. The Township Board's decision is final, subject to any appellate rights available under applicable law.

(b) The applicant or operator may amend the fire protection plan from time-to-time in light of changing technology or other factors. Any proposed amendment must be submitted to the fire department for review and approval under subsection (a).

(c) The UBESS must comply with the fire protection plan as approved by the fire chief (or as approved by the Township Board in the event of an appeal).

(8) Before commencing construction of the UBESS, Applicant must provide to the Township staff proof of the owner/operator's public liability insurance. If the applicant is approved, proof of insurance shall be provided to the Township annually thereafter. The policy shall provide for bodily injury and property damage and shall name the Township and the property owner as an additional insured. The owner/operator shall insure for liability for the utility scale solar system until removed for at least $25,000,000 per occurrence to protect the owner/operator, Township, and the property owner. Proof of a current policy is required annually and shall be provided each year to the Township prior to the anniversary date of the Special Land Use Permit.

(9) If a UBESS is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system within six (6)

months after the date of abandonment. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with topsoil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a UBESS that is never fully completed or operational if construction has been halted for a period of one (1) year.

(10) To ensure proper decommissioning of a UBESS upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

1) The amount of each UBESS security guarantee, shall be the average of at least two independent (applicant) demolition (removal) quotes obtained by the Planning Commission and approved by the Township Board. If the quantity of quotes obtained is two (2), the formula should be (quote 1 + quote 2) divided by two.
2) Quotes shall be based on individual UBESS removal and shall not group multiple UBESS simultaneous removals together. Quotes shall be ordered and obtained by the Township from established demolitions companies. Quotes shall not include salvage values. The cash deposit shall be updated every two (2) years at the rate of 1.5 times CPI (consumer price index) for each year. b) Such financial guarantee shall be deposited with the Township Treasurer after a special use has been approved but before construction operations begin on the UBESS project. Failure to keep such financial security in full force and effect at all times while the structure exists shall constitute a material and significant violation of a special use approval and this ordinance and shall subject the Applicant to all available remedies to the Township, including enforcement action, fines, revocation of the special use approval and UBESS removal. The Applicant shall be responsible for the payment of all attorney fees and other costs incurred by the Township in the event that the structure is not voluntarily removed and the Township has to enforce removal.
3) The Applicant/Owner and Operator shall execute any and all document (as provided or approved by the Township), sufficient to provide the Township with a perfected security interest in monies deposited with the Township for the purpose of decommissioning any UBESS.

(11) If the UBESS experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

(12) The applicant or operator must submit a report on or before January 1 of each year that includes all of the following

(a) Current proof of insurance;

(b) Verification of financial security; and

(c) A summary of all complaints, complaint resolutions, and extraordinary events.

(13) The Township may inspect a UBESS at any time by providing 24 hours advance notice to the applicant or operator.

(14) A special use permit for a UBESS is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.

(15) If an applicant or operator fails to comply with this Ordinance, the Township, may pursue any remedy or enforcement, including but not limited to the removal of any UBESS pursuant to this Ordinance or as otherwise authorized by law. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs

(16) Environmental Regulations.

(a) **Site Clearing**. Clearing of natural vegetation shall be limited to what is necessary for construction, operation, and maintenance of the UBESS. No more than two (2) inches of topsoil shall be moved from the original landscape. Other items, such as lumber, stones, etc., may be removed upon written consent of the Planning Commission.

(b) **Herbicides and Pesticides Prohibited.** The use of herbicides and pesticides is prohibited.

(c) **Baseline Soil Testing**. Prior to commencing any construction or installation of a UBESS, the owner of the facility or the property must submit a baseline soil test to the Township.

(d) **Greenbelt Buffer.** A UBESS must be screened by a greenbelt buffer between the use and all adjacent rights-of-way and adjacent properties. Greenbelt buffers must all of the following criteria:

1. Greenbelts must have a minimum width of ten (10) feet and may be interrupted only to provide for pedestrian or vehicular access.

2. Greenbelts shall be planted with appropriate ground covers.

3. A mixture of deciduous shade trees, ornamental trees, evergreen trees, and shrubs shall be planted along the greenbelt buffer at a minimum concentration of one (1) tree and three (3) shrubs per 15 linear feet of greenbelt length along a property line or street frontage.

(F) **UBESS under PA 233**: On or after November 29, 2024, once PA 233 of 2023 is in effect, the following provisions apply to UBESS. To the extent these provisions conflict with the provisions in Sections 5.42(A)-(E), these provisions control as to such UBESS. This subsection does not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and does not apply to UBESS with a nameplate capacity of less than 50 megawatts. All provisions in Sections 5.42(A)-(E) that do not conflict with this subsection remain in full force and effect.

(1) **Setbacks**. UBESS must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

(2) **Installation**. The UBESS must comply with the version of NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" in effect on the effective date of the amendatory act that added this Section or any applicable successor standard.

(3) **Noise**. The UBESS must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(4) **Lighting**. The UBESS must implement dark sky-friendly lighting solutions.

(5) **Environmental Regulations**. The UBESS must comply with applicable state or federal environmental regulations.

(6) **Host Community Agreement**. The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the UBESS owner must pay the Township $2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 5.43 Utility Structures and Substations

(A) **Definition:** A facility for a service provider, which may be a company or a governmental agency, which provides such services as electric power, natural gas, sanitary sewers, water, telephone, etc.

(B) **Standards.** Utility structures, substations, and similar uses shall comply with the following regulations:

(1) **Location.** Where feasible, utility structures and public service buildings shall be located so as to not hinder the development of the area or detract from the value of adjoining development.

(2) **Design.** All such uses shall be contained in buildings that are architecturally compatible with buildings in the vicinity and shall be screened in accordance with Article 9.

(3) **Off-site Impact.** Such uses shall not create a health or safety hazard, a nuisance, or have deleterious impact on the surrounding area either due to appearance or operation.

(4) **Security Fencing.** Security fencing may be permitted, subject to the requirements in Article 11.00.

(5) **Landscape Screening.** All utility structures and substations shall be screened from all adjoining lots in accordance with the standards of Article 9, regardless of the zoning district of the utility structure of substation or the zoning district of the adjacent lots.

Section 5.44 Vehicle Dealership

(A) **Definition:** A building or premises used primarily for the sale of new and used vehicles and other motor vehicles.

(B) **Standards.**

(1) These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, boats, and other vehicles.

(2) **Grading, Surfacing, and Drainage.** Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be graded and drained so as to dispose of surface waters. Grading, surfacing, and drainage plans shall be subject to review and approval by the Township.

(3) **Servicing of Vehicles.**

(a) Service activities shall be clearly incidental to the vehicle sales operation.

(b) Vehicle service activities shall occur within a completely enclosed building.

(c) The building containing service operations shall be located a minimum of fifty (50) feet from any property line.

(d) There shall be no external evidence of the service operations, in the form of dust, odors, or noise, beyond the service building.

(e) Vehicle repair operations accessory to Vehicle Dealerships shall be subject to the standards of Section 5.46, in addition to this section.

Section 5.45 Vehicle Filling Station (Gas Station)

(A) **Definition:** A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. 'Vehicle filling stations' may also incorporate a convenience store operation as an Accessory Use, provided it is clearly incidental to the filling station use, but no vehicle repairs shall be permitted.

(B) **Standards.** The following regulations shall apply to Vehicle Filling Stations

(1) Minimum Lot Area. The minimum lot area required for such uses shall be 21,780 sq. ft. (1/2 ac.).

(2) Minimum Lot Width. The minimum lot width required for such uses shall be 200 ft.

(3) Minimum Setbacks. Repair garages or other buildings shall comply with the setback requirements for the district in which the use is located. However, a minimum setback of forty (40) feet shall be maintained on all sides which abut property that is zoned for residential purposes. Pump islands and canopies shall comply with the following requirements:

	Minimum Setback from Right-of-Way Line	Minimum Setback from Residential Use or Zone
Nearest Edge of Pump Island	30 ft.	50 ft.
Nearest Edge of Unenclosed Canopy	20 ft.	40 ft.

(4) Ingress and Egress. No more than one (1) ingress/egress drive or curb opening shall be permitted for every seventy-five (75) feet of frontage (or fraction thereof) along any street. The nearest edge of any such drive shall be located at least twenty-five (25) feet from the nearest point of any property zoned for residential purposes.

(a) Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other Ingress and egress drives, its location in relation to the traffic generated by other buildings or uses, or its location near vehicular or pedestrian entrances or crossings.

(5) Outside Storage. Inoperable, wrecked, partially dismantled, or repaired vehicles shall not be stored or parked outside for a period exceeding two (2) days. Such vehicles must be stored in the rear yard, where they shall be screened pursuant to Article 9.

(6) Vehicle Sales and Storage. The storage, sale, or rental of new, used, or repaired cars, trucks, trailers, and any other vehicles on the premises is prohibited.

(7) Paving Surface. Fueling areas shall be paved with concrete.

(a) Vehicle repair operations accessory to Vehicle Dealerships shall be subject to the standards of Section 5.46, in addition to this section.

Section 5.46 Vehicle Repair

(1) Definition: Repair of vehicles, including, but not limited to: Engine tune-ups and servicing of brakes, air conditioning exhaust systems; oil change or lubrication; wheel alignment or balancing; engine and transmission rebuilding and general repairs, rebuilding or reconditioning; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing.

(B) **Standards.**

(1) All painting operations shall be conducted within an enclosed building which shall be equipped with the latest available odor and fume-arresting devices to prevent any nuisance or annoyance from odor emanating from the building. The painting operations shall comply with the latest standards of the National Board of Fire Underwriters or other testing agencies accepted and approved by the Township Fire Marshal.

(2) All vehicle body shop operations shall be conducted within an enclosed building which shall be equipped with such special acoustical qualities as will prevent any nuisance or annoyance from noise emanating from the building.

(3) No vehicle body work, painting or repairing shall be conducted outside of enclosed buildings on the premises and no more than six (6) vehicles upon which body work is to be completed or which are to be painted shall be stored outside of enclosed buildings on the premises prior to the completion of such work.

(4) All lubrication equipment, vehicle wash equipment, hoists, and pits shall be enclosed entirely within a building. Service bay doors and windows shall be oriented, so they face away from abutting residentially zoned property.

(5) Vehicles awaiting repair must be stored in an area surrounded by a chain-link fence and/or screened by landscaping so as not to be visible from off-site during non-business hours. In addition, vehicles awaiting repair or service are not permitted to be stored in required parking spaces for a period of more than one business day.

(6) Partially dismantled or damaged vehicles awaiting parts shall be stored in the fenced or screened area. Vehicles without current licenses shall be prohibited.

(7) New and used discarded parts shall be stored within a completely enclosed building.

(8) Used tires shall be contained within a solid, un-pierced enclosure.

(9) All lubrication, servicing equipment, and all repair work shall be done within the principal building.

(10) Suitable containers shall be provided for all fluids and hazardous materials and shall not be stored outside of an enclosed building.

(11) Vehicle deliveries shall take place on the premises and shall not interfere with vehicular traffic on a public road.

(12) Loudspeakers broadcasting voice or music outside of the building shall not be permitted.

(13) In the event that a vehicle repair facility has been abandoned or not used as a vehicle repair facility for a period of more than one year, all underground fluid storage tanks shall be removed from the premises, in accordance with State and Federal laws.

Section 5.47 Vehicle Wash

(A) **Definition:** A commercial establishment contained within a building or premises or portion thereof where vehicles are washed.

(B) **Standards:** The following regulations shall apply to Vehicle Wash or Car Wash Establishments:

(1) **Layout.** All washing activities shall be carried on within a fully enclosed building. Vacuuming activities shall be permitted in the rear only, provided such activities are located at least fifty (50) feet from adjacent R, RE, and MH residentially zoned property. Entrances and exits to the vehicle wash building shall not face abutting R, RE, and MH residentially zoned property.

(a) Mechanical dryer is required for automatic washes
(b) Six-foot-high fence or greenbelt required where carwash abuts residential district.

(2) Entrances and Exits. Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the vehicle wash.

(a) Max width of driveways at right-of-way no more than 30 ft.
(b) Driveway intersection with street: not less than 90 degrees.
(c) Driveway: 20 ft min distance from any abutting property line.

(3) Exit Lane Drainage. Exit lanes shall be sloped to drain water back to the wash building to drainage grates.

(a) Where applicable, secondary containment for toxic or hazardous substances shall be required.

(4) Location. The lot on which a car wash is proposed shall be no closer than one hundred (100) feet to a residentially-zoned district.

(5) Paving and Drainage. Driveways, vehicle maneuvering areas, and parking areas shall be paved and provided with proper underground drainage to prevent water from collecting on the surface or flowing onto adjoining property or streets. Drainage facilities shall be equipped with a mud and grease trap.

(6) Public Utilities. In order to be approved for a Special Use permit, vehicle washes must be served by public water and sewer.

(7) Parking and Stacking Space Standards

(a) Off street stacking spaces
  (i) **Self-service**: 3 at entry, 1 at exit,
  (ii) **Automatic**: 6 at entry 2 at exit
(b) Parking Spaces:
  (i) **Self-service:** 1 per stall excluding stall itself, 1 per vacuum station, 1 per employee
  (ii) **Automatic:** 1 per 200 sf of floor area of service area, 1 per vacuum, 1 per employee

Section 5.48 Veterinary Clinic

(A) **Definition:** An institution that is licensed by the Michigan Department of Health to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A 'veterinary clinic' may include customary pens or cages for the overnight boarding of animals and such related facilities as laboratories, testing services, and offices.

(B) **Standards**. No additional standards.

Section 5.49 Warehousing

(A) **Definition:** A building used primarily for storage of goods and materials.

(B) **Standards:** No additional standards.

Section 5.50 Wholesale

(A) **Definition:** On-premises sale of goods primarily to customers engaged in the business of reselling the goods.

(B) **Standards:** No additional standards.

Section 5.51 Wind Energy Conversion Systems

(A) **Intent and Purpose:** This Ordinance is intended to protect the health, safety and welfare of the residents of the Township and to encourage the safe, effective, efficient and orderly development and operation of wind energy resources in the Township while preserving and protecting the character and the stability of residential, agricultural, recreational, commercial, industrial and other areas within the Township.

(B) **Definitions:**

(1) Adverse Sound Character: Sound that causes building rattle, is impulsive, tonal, includes amplitude modulation, or has a low-frequency bass rumble.

(2) Ambient: Ambient is defined as the sound pressure level exceeded 90% of the time over a 96-hour measurement period with daytime/nighttime division.

(3) ANSI: the American National Standards Institute.

(4) Audible: The varying degrees of sound perception as reported by affidavit, including, but not limited to, just perceptible, audible, clearly audible, and objectionable.

(5) dBA: The A-weighted sound level.

(6) dBC: The C-weighted sound level.

(7) Decibel (dB): The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (20 microPascals); abbreviated "dB."

(8) Emergency work: Any work or action necessary to deliver essential services in an emergency situation, including, but not limited to, repairing water, gas, electricity, telephone and sewer facilities and public transportation, removing fallen trees on public rights-of-way, and abating life-threatening conditions.

(9) Equivalent Sound Level (or Leq): The sound level measured in decibels with an integrating sound level meter and averaged on an energy basis over a specific duration.

(10) Excessive noise: Sound that is determined by ordinance to be too loud or unnecessary or creates a noise disturbance.

(11) FAA: The Federal Aviation Administration

(12) GIS: Geographic Information System and is comparable to GPS (global positioning system) coordinates.

(13) IEC: The International Electrotechnical Commission

(14) ISO: The International Organization for Standardization

(15) LMax (LAMax or LCMax): The maximum db(A) or db(C) sound level measured using the "fast response" setting of the sound meter (equivalent to 0.125 second exponential averaging time)

(16) Lease Unit Boundary: The boundary around a property or properties leased or purchased for purposes of operating a wind energy facility, including leased or purchased adjacent parcels to the parcel on which the wind energy facility tower or equipment is located. For purposes of setback, the Lease Unit Boundary shall not cross road rights of way.

(17) L10: Is the noise level exceeded for 10% of the time of the measurement duration. This is often used to give an indication of the upper limit of fluctuating noise, such as that from road traffic.

(18) L90: Is the noise level exceeded for 90% of the time of the measurement duration and is commonly used to determine ambient or background noise level.

(19) Noise: A sound that causes disturbance that exceeds 45 db(A) (Lmax) or 55 db(C) (Lmax).

(20) On Site Wind Energy Conversion System (also called Small Scale): A wind energy conversion system less than 80 feet in total height with the blade fully extended (tip height) intended to generate electric power from wind solely for the use of the site on which the system is located. Small-scale WECS that are primarily intended to provide on-site power, but contribute surplus energy to the grid, may also be considered On-Site Small-Scale WECS. Small scale wind energy systems that consistently sell power back to the public grid will require a Special Use permit.

(21) Pasquill Stability Class: Reference, wikipedia.org "Outline of air pollution dispersion."

(22) Quiet Rural or Residential property: Any property where there is an inherent expectation of quiet, including, but not limited to, all residential, business, or agricultural-zoned properties, single-family homes, and retirement homes.

(23) SCADA (supervisory control and data acquisition): A computer system that Eagle Township uses to control WECS units.

(24) Sound level meter: An instrument for the measurement of sound levels that meets the ANSI requirements of S1.4-1983 (or later revision) for Type 1 or 2 instruments. For frequency analysis, octave and 1/3 octave filters shall conform to ANSI S1.11-1986 (or later revision).

(25) Sound Pressure: An average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.

(26) Sound Pressure Level: The sound pressure mapped to a logarithmic scale and reported in decibels (dB).

(27) Strobe Effect: The effect resulting from the flashing of reflected light, which can be visible from some distance, from the surface finish of turbine blades.

(28) Survival Wind Speed: The maximum wind speed, as designated by the WECS manufacturer, at which a WECS in unattended operation (not necessarily producing power) is designed to survive without damage to any structural equipment or loss of the ability to function normally.

(29) Tip Height: The height of the turbine with a blade at the highest vertical point.

(30) Utility Scale (also known as Commercial and/or Large-Scale) Wind Energy Conversion System: A wind energy conversion system greater than eighty (80) feet in total height (tip height) intended to generate power from wind primarily to supplement the greater electric utility grid. Utility-scale WECS include accessory uses such as, but not limited to, SCADA towers, anemometers, or electric substations.

(31) WECS Applicant: The person, firm, corporation, company, limited liability corporation or other entity, as well as the Applicant's successors, assigns and/or transferees, which applies for Township approval (permit) to construct a WECS and WECS Testing Facility. An Applicant must have the legal authority to represent and bind the lessee, who will construct, own, and operate the WECS or Testing Facility. The duties and obligations regarding a zoning approval for any approved WECS or Testing Facility shall be with the WECS or Testing Facility owner, and jointly and severally with the owner, operator, and lessee of the WECS or Testing Facility if different than the WECS owner.

(32) Wind Energy Conversion System (WECS): Any combination of the following:

(a) A mill or machine operated by wind acting on oblique vanes or sails that radiate from a horizontal shaft;

(b) A surface area such as a blade, rotor, or similar device, either variable or fixed, for utilizing the wind for electrical or mechanical power;

(c) A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity-producing device;

(d) The generator, alternator, or another device to convert the mechanical energy of the surface area into electrical energy;

(e) The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

(f) Any other components not listed above but associated with the normal construction, operation, and maintenance of a wind energy conversion system.

(33) Wind Energy Conversion System (WECS) Testing Facility: A structure and equipment such as a meteorological tower for the collection of wind data and other meteorological data and transmission to a collection source, shall not be deemed to be a communication tower.

(34) Wind Energy Facility: Clusters of two or more Utility Grid Wind Energy Conversion Systems, placed upon a lot or parcel with the intent to sell or provide electricity to a site or location other than the premises upon which the Wind Energy Conversion Systems are located. Said Wind Energy Conversion Systems may or may not be owned by the owner of the property upon which they are placed.

(C) **On-Site Wind Energy Conversion System Standards (Also Called Small Scale).** The following standards shall apply to On-Site WECS, including Anemometer Towers, in addition to the general Special Approval/Special Land Use requirements of this Ordinance:

(1) Required Information

(a) Diagram of wind turbine showing blade length and ground clearance

(b) Determination of No-Hazard to Air and Navigation from Clinton County Airport

(c) Engineering Data concerning construction of the tower base

(d) **Site Plan.** The Applicant shall submit a site plan in full compliance with this Ordinance. The Applicant shall also submit a written explanation of the design characteristics and the ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards, as well as information regarding health, welfare and safety in areas including, but not limited to, noise, vibration, shadow flicker, and blade ice deposits. This information shall also address the potential for the WECS to structurally fail or collapse, and what results should be expected in such an event. The application for a WECS shall be reviewed in accordance with all applicable requirements in site plan review and special use requirements of this Ordinance. In addition to these requirements, site plans and supporting documents for WECS shall include the following additional information, as appropriate:

(i) Documentation that noise emissions, construction code, tower, and safety requirements have been reviewed by the appropriate third-party professional and the submitted site plan is prepared to show compliance with these issues.

(ii) Proof of the applicant's public liability insurance.

(iii) A copy of that portion of all the applicant's lease(s) with the land owner(s) granting authority to install the WECS and/or Anemometer Tower; legal description of the property(ies), Lease Unit(s); and the site plan shows the boundaries of the leases as well as the boundaries of the Lease Unit Boundary.

(iv) An un-redacted safety manual from the turbine manufacturer and a statement from the applicant verifying that the WECS is or will be operated in compliance with all requirements therein.

(v) The phases, or parts of construction, with a construction schedule.

(vi) Engineering data concerning construction of the tower base.

(vii) The project area boundaries..

(viii) The location, height, and dimensions of all existing and proposed structures and fencing.

(ix) The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest private road, Township Road, or State maintained road.

(x) All new infrastructure above and below ground related to the project, including transmission line locations.

(xi) A copy of Manufacturers' Material Safety Data Sheet(s) which shall include the type and quantity of all materials used in the operation of all equipment including, but not limited to, all lubricants and coolants.

(xii) Description of operations, including anticipated regular and unscheduled maintenance.

(2) Regulations

(a) Height. On-Site WECS shall have a maximum height of 80 feet or less; except where state and federal regulations may require a lesser height; or where, as a condition of special use approval, the Planning Commission requires a lesser height. Height is measured from the average grade at the base of the tower to the highest point of WECS when a blade is in its vertical orientation.

(b) Setbacks. The distance between an On-Site WECS and the property lines shall be equal to 110% of the height of the tower including the top of the blade in its vertical position. The distance between an accessory structure associated with the WECS and all property lines shall be at least the minimum setback for all accessory structures in the zoning district the WECS is located within. On-site WECS and associated accessory structures shall not count towards the maximum number of accessory structures on a given lot.

(c) Minimum Lot Area Size. The minimum lot size for a parcel to be eligible to have an On-Site WECS shall be one (1) acre

(d) Minimum Ground Clearance. The minimum vertical blade tip clearance from grade and any structure, adjoining property, or tree shall be 20 feet for an on-site WECS employing a horizontal axis rotor.

(e) Noise Emission. Noise emitting from an on-site WECS shall not exceed 35 dB(A) (L_{max}) or 45 dB(C) (L_{max}) at the property line closest to the WECS.

(f) Construction Codes, Towers, & Interconnection Standards. On-site WECS including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site WECS including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, and other applicable local and state regulations. An interconnected On-site WECS shall comply with Michigan Public Service Commission (MPSC) and Federal Energy Regulatory Commission (FERC) standards. Off-grid systems are exempt from MPSC and FERC requirements.

(g) Safety. The On-Site WECS shall meet the following safety requirements:

(i) The On-Site WECS shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are kept securely locked at all times when service personnel are not present.

(ii) All energy collection system wiring shall comply with all applicable safety and stray voltage standards.

(iii) Each On-Site WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds within 80% of design limits of the braking system.

(iv) A copy of the un-redacted Safety Manual from the turbine manufacturer shall be submitted to the Township and the turbine must comply with all requirements therein.

(v) All towers or poles must be unclimbable by design or protected by anti-climbing devices such as:

1) Fences with locking portals at least six (6) feet high

2) Anti-climbing devices twelve (12) feet from base of pole

(h) Shadow Flicker. On-site WECS shall produce no shadow flicker on any adjacent property. Measures to eliminate all effects of shadow flicker on adjacent properties, such as programming the WECS to stop rotating during times when shadow crosses occupied structures, may be required.

(i) Fluid Containment. Each On-Site WECS shall include both an internal and external fluid containment barrier located either within the nacelle, or at the base of the nacelle in the event of a spill or leak.

(j) Liability Insurance. The Applicant shall provide proof of insurance for each WECS at all times for at least $2,000,000 for liability, property damage, livestock damage, and future earnings loss. Applicant shall provide yearly proof of insurance to Township that confirms active coverage for the Applicant, Township, and property owners. Aggregate policies are allowed if minimum coverage per WECS is satisfied, and coverage is provided for every site where Applicant's equipment is located. In the event a public service such as police, fire, or rescue is required due to the operation, maintenance, or failure of a wind turbine, any cost incurred as a result of said event shall be the sole responsibility of the applicant and/or owner of the On-Site WECS.

(D) **Utility Scale Wind Energy Conversion System Standards (Also Called Large Scale)**

(1) Utility Scale Wind Energy Conversion Systems shall only be permitted as a special land use within the following parcels, which shall be designated as the O-WSB Wind Solar Battery Overlay:

070-036-200-025-00
070-036-200-005-50
070-036-200-005-00
070-036-100-010-00
070-036-100-020-00
070-036-100-025-00

(2) Required Information

(a) Diagram of wind turbine showing blade length and ground clearance

(b) Determination of No-Hazard from Clinton County Airport

(c) Engineering data concerning construction of the tower base;

(i) Construction materials

(ii) Depth of the base

(iii) Analysis of impact on water table, nearby wells, and ground water

(iv) The Applicant shall provide certification with documentation (structural analysis) including calculations that the WECS and foundation and attachments, rooftop support structure, water tank structure, and any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, City, State and Federal structural requirements for loads, including wind and ice loads.

(v) A copy of a geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for the proposed WECS site.

(d) Site Plan. The Applicant shall submit a site plan in full compliance with this Ordinance. The Applicant shall also submit a written explanation of the design characteristics and the ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards, as well as information regarding health, welfare and safety in areas including, but not limited to, noise, vibration, shadow flicker, and blade ice deposits. This information shall also address the potential for the WECS to structurally fail or collapse, and what results should be expected in such an event. The application for a WECS shall be reviewed in accordance with all applicable requirements in site plan review and special use requirements of this Ordinance. In addition to these requirements, site plans and supporting documents for WECS shall include the following additional information, as appropriate:

(i) Documentation that noise emissions, construction code, tower, and safety requirements have been reviewed by the appropriate third-party professional and the submitted site plan is prepared to show compliance with these issues.

(ii) Proof of the applicant's public liability insurance.

(iii) A copy of that portion of all the applicant's lease(s) with the land owner(s) granting authority to install the WECS and/or Anemometer Tower; legal description of the property(ies), Lease Unit(s); and the site plan shows the boundaries of the leases as well as the boundaries of the Lease Unit Boundary.

(iv) An un-redacted safety manual from the turbine manufacturer and a statement from the applicant verifying that the WECS is or will be operated in compliance with all requirements therein.

(v) The phases, or parts of construction, with a construction schedule.

(vi) The project area boundaries.

(vii) The location, height, and dimensions of all existing and proposed structures and fencing.

(viii) Engineering data concerning construction of the tower base

(ix) The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest Township or State maintained road.

(x) A description of the routes to be used by construction and delivery vehicles and of any road improvements that shall be necessary in the Township to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond which guarantees the repair of damage to public roads and other areas caused by construction of the WECS.

(xi) All new infrastructure above and below ground related to the project, including transmission line locations.

(xii) A copy of Manufacturers' Material Safety Data Sheet(s) which shall include the type and quantity of all materials used in the operation of all equipment including, but not limited to, all lubricants and coolants.

(xiii) Description of operations, including anticipated regular and unscheduled maintenance.

(e) Required Studies

(i) **Economic Impact Study Required.** The Applicant shall fund and provide an economic impact study for the area affected by the WECS project. Such a study shall include probable financial impact regarding jobs, tax revenue, lease payments and property values at a minimum and average set-backs distances. Business and residential growth potential shall be considered.

(ii) **Flicker Study.** A shadow flicker study shall be required, and shall be submitted by the applicant with the application. The purpose of the shadow flicker study is to examine the duration and location of shadow flicker on adjacent parcels. The model study area shall include all land extending a minimum of 20 rotor diameters in all directions from a wind turbine generator. The model shall be calculated using the following minimum inputs: turbine locations, shadow flicker receptor locations, existing topography, rotor diameter and hub height, joint wind speed and direction distribution (wind rose table, and hours of sunshine (long term monthly references)). The model shall calculate the locations and durations of shadow flicker caused by the proposed wind energy conversion system within the study area, and the total number of hours anticipated per year of shadow flicker. The application shall include estimates for shadow flicker to the nearest tenth of an hour, on a daily basis for each receptor. Assumptions regarding the percentage of time that shadow flicker is likely to occur shall be clearly explained and subject to approval of the Planning Commission. The shadow flicker study shall include a map that indicates the extent of shadow flicker, adjacent parcels, public roads and all potential shadow flicker receptors.

1) **Post-Construction Flicker Mitigation.** Should a nearby parcel receive shadow flicker that was not indicated in the shadow flicker study, the owner of the wind energy conversion system may be required to cease operations of WECS and perform an additional flicker study and mitigation plan for the affected property and submit it to the Zoning Administrator for review prior to implementing mitigation measures.

(iii) Avian Study Required.

1) At the time of application, the Applicant shall submit a wildlife study, completed by a qualified professional, to assess the potential impacts of the proposed wind energy conversion system upon bird and bat species. The wildlife study shall include the results of an environmental review request from the Michigan Department of Natural Resources, a literature review for threatened and endangered species and for birds and bats, the results of supplemental environmental surveys conducted by the applicant to provide information related to critical flyways, migratory routes, feeding areas, and/or nesting sites for protected species. It is the intent of this ordinance to reasonably consider and protect avian and bat species, not just those that are endangered or threatened. The applicant must identify any plans for post-construction monitoring and studies. The analysis shall also include an explanation of potential impacts and proposed mitigation plans, if necessary.

2) A qualified, third party chosen at the discretion of the Planning Commission may be required to review the applicant's wildlife studies and/or environmental surveys may be required by the Planning Commission.

3) The Planning Commission may require a post-construction bird and bat mortality study completed by a third-party professional selected by the Planning Commission. The timing of such a study shall be specified as a condition of the special land use.

4) A wind development application shall adhere to and comply with all guidelines and best practice recommendations made by the United States Fish and Wildlife Service (USFWS) regarding the siting, design, and operation of a wind energy conversion system to protect the natural resources of watersheds, wetlands and wildlife. The application shall include documentation of all studies, consultations, and recommendations made by or with the USFWS regarding the placement of wind turbine generators and operation of the wind energy conversion system.

5) The compatibility of the tower structure with the rotors and other components of the conversion systems shall be certified by a certified, registered engineer and by the authorized factory representative. In addition, the lowest point of the blade shall be a minimum of one hundred (100) feet above the ground.

(iv) Preconstruction Noise Background Survey. The applicant shall provide a noise background study at the time of application which indicates Leq, L10, and L90 ten-minute sound levels using A-weighting. For applications submitted after the effective date of this ordinance, the applicant shall submit proposed measurement locations to the Planning Commission in advance of the survey for review and approval. Measurement procedures should generally follow the most recent versions of ANSI S12.18, and ANSI S12.9, Part 3 (with or without an observer present) guidelines. The selected test locations shall be described with GPS coordinates or some other level of detail such that the location can be used by others to repeat or verify sound measurements. Measurements shall be taken using an ANSI or IEC Type 1 Precision Integrating Sound Level Meter. The study must include a minimum of a four-day (96-hour) testing period, including one Sunday, and produce data that includes a variety of ground and hub height wind speeds, at low (between 4 and 7 m/s) medium (7-10 m/s) and high (10m/s or more and/or capable of producing maximum power). The noise background study shall report for the period of monitoring topography, temperature, weather patterns, sources of ambient sound, and prevailing wind direction. The study shall include a map showing proposed wind turbine locations, adjacent parcels, and all occupied buildings.

(v) Sound Modeling Study.

1) A predictive sound study of turbine noise shall accompany an application to verify that ordinance requirements can be met for dBA sound levels. Due to the statistical uncertainty of sound propagation models, environmental factors, and variable wind shear, sound modeling shall demonstrate that the wind energy conversion system will not exceed 35 dBA (10 min- LAeq) at the property line of any adjacent parcel. The modeling shall also demonstrate that the system will not exceed 45 dBA (LMax) at the property line of any adjacent parcel.

2) The applicant shall present the maximum Sound Power Level of the proposed turbine on both the dBA and dBC scales and will calculate the difference [dBC-dBA] in decibels and compare it to the 20 decibel threshold in IEC 61400-11:2002+A1:2006, as an indicator of whether the turbine is likely to produce low-frequency noise that could create annoyance.

3) For assessing potential low frequency or vibration problems, refer to Section C.2.(g).

4) The sound modeling must follow the most recent version of International Standard, ISO 9613-2 “Acoustics-Attenuation of sound during propagation outdoors – Part 2: General method of calculation.

5) The sound modeling study shall use wind turbine sound power levels determined according to the most recent version of IEC 61400 – Part 11. The model of wind turbine generator proposed for the development shall not be tonal as determined by the most recent version of IEC 61400- Part 11.

6) The sound study shall include a map with sound contour lines for dBA sound emitted from the proposed wind energy conversion system. The study shall include a map (at 1:200 or better) showing sound contours at 5 dBA intervals, proposed wind turbine locations, adjacent parcels, and all occupied buildings. The predicted values must include cumulative sound levels created by all existing, approved, and proposed turbines. The sound study and accompanying map shall extend out to the 30-dBA sound contour line or 1 mile from a wind turbine generator, whichever is closer to the nearest wind turbine.

7) The applicant shall identify each operational component of a wind turbine (other than the spinning blades) that will produce a sound that will be audible at the property line of an adjacent parcel.

8) For each operational component that is identified, the applicant shall also provide:

   a) The maximum instantaneous volume of the noise, in dBA, that will be received at the property line of an adjacent parcel, along with the modeling results to support that projection.

   b) The characteristics of the noise, in terms of frequency of occurrence, when it will occur, duration, tonal quality, and range of volume. In addition to a written description, the applicant shall provide a recording or video of the various operational sounds or some other form of demonstration.

   c) The measures, if any, the applicant is proposing to implement in order to mitigate the sound.

9) The Planning Commission may require the applicant to implement measures to mitigate and/or eliminate an operational sound (other than the spinning blades).

10) Failure to submit information on all predictable, audible operational sounds of the wind turbines (such as yawing, cooling fans, hydraulics or cooling systems, etc.) may result in a violation of the special land use.

(vi) Post Construction Sound Survey

1) Documentation of sound pressure level measurements shall be provided to the Zoning Administrator by a third-party qualified professional selected by the Planning Commission and at the expense of the wind energy conversion system owner within 6 months of the commencement of the operation of the project. The post construction study shall be performed at the same locations as the pre-construction study unless additional or alternative locations are required by the Planning Commission. The study should generally follow the procedures in the most recent versions of ANSI S12.9 Part 3 (with an observer present) and ANSI S12.18. All sound pressure levels shall be measured with instruments that meet ANSI or IEC Type 1 Precision integrating sound level meter performance specifications. In addition to measuring A-weighted sound levels, at least one monitoring location shall collect one-third octave band data down to 1 Hertz. As part of the study, octave band data must be measured as addressed in Section C.2.(g).

2) **Testing Procedures.** The post construction test shall verify that equivalent sound level limits in dBA are in compliance with the standards of this ordinance. The compliance test procedure will use an alternating series of turbine-on and turbine-off 10-minute LAeq measurements when wind speeds are fairly constant. The testing shall result in a minimum of ten (10) ten-minute LAeq data points per testing location obtained when the wind energy conversion system is operating at maximum sound power. Measured levels (turbine-on and turbine-off) for similar hub height wind speeds (within 1.5 m/s) will be compared to determine the sound level from only the wind turbines. The firm conducting the study shall collect LA90 and LA10 data. The wind energy conversion system owner shall assist the Township and third-party qualified professional by turning off selected wind turbines and providing necessary logistical support for testing on-demand. During a testing period identified by the Township, the wind energy conversion system owner shall park or pause wind turbine operations for an "off" period within two hours of a request made by the third-party professional. During the on-off testing all wind turbine operations will be parked or paused within 8,000 feet of a test location to eliminate the background noise contribution from the wind energy conversion system.

3) **Test Locations.** The test locations shall take into consideration noise complaints on file with the Township and may require additional study locations as deemed necessary by the Planning Commission. The firm conducting the post-construction sound survey shall consult with the Planning Commission, or their representative, prior to conducting the study to agree on the compliance testing locations. The study shall delineate parcels as well as occupied buildings.

4) **Low Frequency Sound and/or Vibration.** WECS shall not create vibrations that are detectable by humans on nearby parcels. The applicant shall provide acoustic modeling at the time of application to assess potential low frequency or vibration problems on nearby parcels. The modeling study of low frequency sound and vibration shall demonstrate meeting: (1) ANSI S12.9/Part 4 Annex D threshold for minimal annoyance and beginning of rattles from outdoor low frequency noise and (2) the ANSI S12.2 sound level limits for moderately perceptible vibration and rattles within homes as modified to equivalent outdoor sound limits in Table 2 of the March-April, 2011 Noise Control Eng. Journal article by O'Neal, et al.. The ANSI S12.2 interior sound level limits for low frequency sound and perceptible vibration within homes, as modified to equivalent outdoor sound limits in Table 2 of the March-April, 2011 Noise Control Eng. Journal article by O'Neal, et al. shall be utilized to determine if outdoor sound levels will create perceptible vibration or low frequency problems indoors. If the post-construction sound survey outdoor octave band sound level measurements reveal that low frequency sound from wind turbines at the exterior of an occupied or non-occupied building may create a vibration or low frequency noise problem, then further studies should be conducted to assess the problem. The further studies shall use the above referenced standards (ANSI S12.2 and ANSI S12.9/Part 4 Annex D). If the further study indicates that the low frequency sound/vibration exceeds acceptable levels, mitigation may be required by the Planning Commission. Mitigation may include operational changes to the turbine, modifications to the subject building or buildings, or other measures as determined by the Planning Commission.

5) **Tonality:** If a tone is observed from a turbine during the post construction sound survey or at a later date (such as due to a malfunctioning gearbox), a defined assessment of the level of tonality shall be conducted utilizing an accepted international standard, such as ISO 1996-2, by an independent, third-party sound consultant selected by the Planning Commission at the expense of the wind energy conversion system owner. A tonal audibility value adjustment (from 0 to 6 dB) will be added to the measured 10-minute LAeq sound level at the testing location of either a nearby parcel in accordance with Section D.3.(h).1.d. For tonality arising from a mechanical failure or lack of maintenance, See Section D.8.f.

6) The Planning Commission retains the authority to require that all noise surveys and reports, both pre-construction and post-construction, be conducted by experts/consulting firm chosen at the Planning Commissions discretion and paid for by the wind developer.

7) **Non-Compliance.** Should the sound study indicate a non-compliant measurement, the owner of the wind energy conversion system will be required to obtain compliance through mitigation or other measures.

(vii) Wind Rose Chart. The applicant shall submit a Wind Rose Chart at the time of the application. This is a chart or graph that describes 12 months (or more) of wind data collected from the proposed project area. This graph or chart will demonstrate direction, duration, and intensity of the wind. These data will be for each height of wind sensor mounted on the meteorological tower.

(3) Regulations

(a) Height. Utility-scale WECS shall have a maximum height of 328 feet or less; except where state and federal regulations may require a lesser height; or where, as a condition of special use approval, the Planning Commission requires a lesser height. Height is measured from the average grade at the base of the tower to the highest point of WECS when a blade is in its vertical orientation.

(b) Setbacks: The following setbacks, measured from the outside edge (the point furthest from the pylon as it rotates horizontally) of the blades, not from the tower itself, shall be observed.

(i) No wind turbine generator shall be located such that the distance between the outside edge of the blades and any outside boundary line of the O-WSB District is less than four times the height of the wind turbine generator.

(ii) No wind turbine generator shall be located such that the distance between the nearest point of the blade (while in rotation) and the nearest boundary line of any individual land parcel comprising the pooled parcel is less than 110% of the height of the wind turbine generator, as measured from the ground at the center of the base of the tower to the highest reach of the blade; provided, however, that the Planning Commission may approve a lesser setback distance if written consents for such lesser distance are obtained from the owners of all lands located, in whole or in part, within one rotor-diameter of the wind turbine generator measured from the center of the base of the wind turbine generator. In determining whether such lesser setback may be approved, the Planning Commission shall consider the technical needs of the applicant, the feasibility of alternate locations, the nature and proximity of nearby buildings, structures, and public roads, for the potential for adverse impacts that noise, shadow flicker, and other features may have on adjacent land uses.

(iii) Lot Size. The size of the lot(s) to be used for a utility-scale WECS shall be sufficient to comply with all setback requirements in Section D.3.(b).

(iv) Minimum Ground Clearance. The minimum vertical blade tip clearance shall be a minimum of fifty (50) feet of clearance over and above any structure and a minimum of 100 feet of clearance above the ground.

(v) Aviation Safety.

1) All WECS shall fully comply with the Clinton County Memorial Joint Airport Authority Ordinance.

2) **Aviation Safety.** A Determination of No Hazard to aviation safety from the Federal Aviation Authority must be submitted, and, if applicable, a Tall Structures Permit from the Michigan Department of Transportation, must be submitted.

(vi) Noise Emission:

1) No WECS shall generate or permit to be generated audible noise that exceeds 45 dBA (L_{omax}) or 55 dBC (L_{max}) (dBC to dBA ratio of 10 dB per ANSI standard S12.9 Part 4 Annex D) for any duration, as measured at the property line.

2) No WECS shall generate or permit to be generated from commercial or industrial permitted facilities any acoustic, vibratory, or barometric oscillations in the frequency range of 0.1 to 1 Hz that is detectable at any time and for any duration by confirmed human sensation or exceeds a sound pressure level from 0.1 to 20 Hz of 50 dB(unweighted) re 20uPA or exceeds an RMS acceleration level of 50 dB(unweighted) re 1 micro-g by instrumentation at a landowner's property line or at any point within a landowner's property.

3) No WECS shall generate or permit to be generated from commercial or industrial permitted facilities any vibration in the low-frequency range of 0.1 to 20 Hz, including the 1, 2, 4, 8, and 16 Hertz octave bands that is perceivable by human sensation or exceeds an rms acceleration level of 50 dB(unweighted) re 1 micro-g at any time and for any duration either due to impulsive or periodic excitation of structure or any other mechanism at a landowner's property line or at any point within landowner's property.

4) A noise level measurement made in accordance with methods in Section D.3.g. that is higher than 45 dBA (L_{max}) or 55 dBC (L_{max}) adjusted for the penalty assessed for a tonal noise condition, shall constitute prima facie evidence of a nuisance.

5) An acoustic, vibratory or barometric measurement documenting oscillations associated to commercial or industrial permitted facilities with levels exceeding the noise limits shall constitute prima facie evidence of a nuisance.

6) All commercial and industrial activity shall comply with limits and restrictions anywhere at any time on another property.

7) Leq 1-sec shall be used for all measurements and modeling.

8) **Noise Measurement and Compliance**

a) Post construction validation and compliance testing shall include a variety of ground and hub height wind speeds, at low (between 6-9mph) medium (between 9-22mph) and high (greater than 22mph). SCADA data shall be provided in the format determined by Township, Township licensed engineers, or Township professional acousticians. Compliance noise measurements are the financial responsibility of the WECS owner of the facility and shall be independently performed by a qualified professional acoustician approved by the Eagle Township Board or their designated agent. Compliance noise measurements shall not exceed the stipulated noise limits and shall assess for and apply tonal noise penalties when warranted.

b) **Quality:** Measurements shall be attended. All noise measurements shall (must) exclude contributions from wind on microphone, tree/leaf rustle, flowing water, and natural sounds such as tree frogs and insects. The latter two can be excluded by calculating the dBA noise level by excluding octave band measurements above the 1000 Hz band as in ANSI S12.100 3.11. The ANS-weighted sound level is obtained by eliminating values for octave bands above 1000 Hz, or one-third octave bands above 1250 Hz, and A-weighting and summing the remaining lower frequency bands. The wind velocity at the sound measurement microphone shall not exceed 3 m/s (7 mph, maximum) during measurements. A 7-inch or larger diameter windscreen shall be used. Instrumentation shall have an overall internal noise floor that is at least 5 dB lower than what is being measured. During testing of elevated sources including, but not limited to, wind turbines, the atmospheric profile shall be Pasquill Stability Class E or F preferred, Class D as alternate.

9) **Noise Level:** Noise measurements shall be conducted consistent with ANSI S12.18 Procedures for Outdoor Measurement of Sound Pressure Level and ANSI S12.9 Part3 (Quantities and Procedures for Description and Measurement of Environmental Sound – Part 3: Short-term Measurements with an Observer Present), using Type 1 meter, A-weighting, Fast Response.

a) Sound Level Limits.

i) Between the hours of 7 a.m. to 10 p.m., any single 10-minute LAeq A-weighted equivalent sound level measured at the property line of a parcel upon which there is an occupied building or dwelling shall not exceed 35 dBA or 5 dBA over ambient noise limit, whichever is lower. Between the hours of 10 p.m. to 7 a.m., any single 10-minute LAeq A-weighted equivalent sound level measured at the property line of a parcel upon which there is an occupied building or dwelling shall not exceed 30 dBA or 5 dBA over ambient noise limit, whichever is lower.

ii) These sound level limits are to be evaluated using the A-weighted equivalent sound level (LAeq) descriptor. The LAeq is measured using a ten-minute time interval.

iii) In the event audible noise due to wind energy conversion system operations contains a tone, such as from a gearbox or generator, the standards for audible noise set forth in Section D.3.(h).1.a and D.3.(h).1.b of this subsection shall be reduced from 0 to 6 dBA depending on the severity of the tone as determined by ISO 1996-2, see Sections D.3.a.iv. and D.6.f.

10) **Tonal Noise:** Tonal noise shall be assessed using unweighted (linear) 1/3 octave band noise measurements with time-series, level-versus-time data acquisition. A measurement shall constitute prima facie evidence of a tonal noise condition if at any time (single sample or time interval) the noise spectrum of the noise source under investigation shows a 1/3 octave band exceeding the average of the two adjacent bands for by 15 dB in low one-third octave bands (10–125 Hz), 8 dB in middle-frequency bands (160–400 Hz), or 5 dB in high frequency bands (500–10,000 Hz).

11) **Sample Metric and Rate:** Noise level measurements for essentially continuous non-time varying noise sources shall be acquired using the Leq(Fast) metric at a sample rate of 1-persecond. For fluctuating or modulating noise sources including, but not limited to, wind turbines, a 10-per-second sample rate or faster shall be used. These sample rates shall apply to dBA, dBC and unweighted 1/3 octave band measurements.

12) **Reporting:** Measurements of time-varying dBA and dBC noise levels and 1/3 octave band levels shall be reported with time-series level-versus-time graphs and tables. Graphs shall show the sound levels graphed as level-vs-time over a period of time sufficient to characterize the noise signature of the noise source being measured. For 1-per-second sampling, a 5-minute-or-longer graph shall be produced. For 10-per-second sampling, a 30-second-or-longer graph shall be produced. Reporting shall identify, and graphs shall be clearly notated, identifying what was heard and when the noise source is dominating the measurement. Reporting shall furnish all noise data and information on weather conditions and, Pasquill Class occurring during testing.

(vii) Construction Codes, Towers, & Interconnection Standards. Utility-scale WECS including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. Utility-scale WECS including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, the Clinton County Memorial Joint Airport Authority Ordinance, and other applicable local and state regulations. An interconnected utility-scale WECS shall comply with Michigan Public Service Commission (MPSC) and Federal Energy Regulatory Commission (FERC) standards. Off-grid systems are exempt from MPSC and FERC requirements. Utility-scale WECS shall comply with the following construction requirements:

1) Tubular towers are required for WECS.

2) The base of the wind turbine must be constructed in such a manner that upon removal of said tower, the soil will be restored to its original condition to a depth of 4 feet.

3) “Up wind turbines” are required.

4) Constant velocity turbines are preferred. Variable speed turbines must submit additional data concerning noise when their revolutions per minute exceed 25 rpms.

5) Visual appearance shall be limited by the use of paint color and finishes that minimize visibility and reflectivity and create a consistent appearance among turbines and turbine components.

6) Color shall be RAL 9001, or similar muted soft white or gray.

7) At the time of application, a paint sample shall be provided for all visible turbine components to demonstrate consistent appearance in paint finish and color.

8) Coatings shall be defined according to ISO 2813:2014 (or most recent version utilized at the time of turbine production) at a viewing angle of 60 degrees with a gloss rating of less than or equal to 30 gloss units.

9) All turbine components shall meet a gloss rating specification of equal to or less than 30 gloss units throughout special land use or shall be recoated at the owner's expense within 180 days of a determination of non-compliance.

10) The Planning Commission, or designated staff, shall ensure verification of paint finishes and gloss rating prior to the erection of the turbine components, at the expense of the Wind Energy Conversion System (WES) owner, through a third-party qualified tester using ISO 2813:2014 (or most recent version utilized at the time of turbine production) to demonstrate compliance.

11) If the Planning Commission determines that additional testing of the paint finish is needed at any point during the duration of the special land use to confirm compliance with the 30-gloss unit maximum, testing shall be completed, at the expense of the WECS owner, by a third-party qualified tester selected by the Planning Commission. Testing shall follow ISO 2813:2014 (or most recent version) to demonstrate compliance.

12) No advertising of any kind shall be allowed on the wind turbine.

13) The electrical wires used to connect the turbine tower to its step-up transformer shall be installed at a depth of 48 inches or more below ground.

14) The certified registered engineer and authorized factory representative shall certify that the construction and installation of the conversion system meets or exceeds the manufacturer's construction and installation standards.

(viii) Safety. The utility-scale WECS shall meet the following safety requirements:

1) The utility-scale WECS shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are kept securely locked at all times when service personnel are not present.

2) All energy collection system wiring shall comply with all applicable safety and stray voltage standards.

3)

4) Each utility-scale WEC shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds within 80% of design limits of the braking system.

5) A copy of the un-redacted Safety Manual from the turbine manufacturer shall be submitted to the Township and the turbine must comply with all requirements therein.

6) All towers or poles must be unclimbable by design or protected by anti-climbing devices such as:

   a) Fences with locking portals at least six (6) feet high

   b) Anti-climbing devices twelve (12) feet from base of pole

(ix) Shadow Flicker. Utility-scale WECS shall produce no shadow flicker on parcels located outside the O-WSB District. Measures to mitigate the effects of shadow flicker on adjacent properties, such as programming the WECS to stop rotating during times when shadow crosses occupied structures, may be required by the Township depending on the location and duration of the shadow flicker impact.

1) **Mitigation and Mitigation Plan.** A shadow flicker detection/abatement system is required on each wind turbine generator. An equivalent type of system may be used, but only with prior approval by the Planning Commission. Shadow detection systems must be kept in good working order for the entire duration of the special land use. Shadow flicker mitigation measures for each receptor modeled to receive flicker shall be described in a mitigation plan and submitted with the application. Flicker mitigation measures may include but are not limited to, turbine siting changes and flicker detection/abatement system operation. If landscaping is used as a mitigation procedure, the planting of mature trees shall be required. The Planning Commission may require a performance guarantee or other mitigation measures, to assure the long-term viability and effectiveness of the mitigation.

(x) Fluid Containment. Each utility-scale WECS shall include both an internal and external fluid containment barrier located either within the nacelle, or at the base of the nacelle in the event of a spill or leak.

(xi) Vibrations. Wind turbines shall not create vibrations that are detectable by humans on properties outside the O-WSB Overlay.

(xii) Substations and Accessory Buildings. Structures related to a WECS shall be subject to the dimensional and locational standards of accessory structures in the zoning district. However, WECS and structures associated with a WECS shall not count towards the maximum number of accessory structures on a given lot.

(xiii) Inspection. The Township shall have the right upon issuing any WECS or wind energy facility special use permit to inspect the premises on which each WECS is located at any reasonable time. The Township may hire a consultant to assist with any such inspections at a reasonable cost to be charged to the operator of the WECS.

(xiv) Signage: Each WECS and Testing Facility shall have one sign per turbine, or tower, located at the roadside and one sign attached to base of each WECS, easily visible throughout four seasons. Signs shall be two square feet in area and be placed at the road right of way. Signs shall be the same and shall uniquely identify each WECS. Additional signage on and around the tower is recommended. The sign shall contain at least the following:

1) Warning high voltage.

2) The sign shall have at a minimum six (6) inch letters with 3/4-inch stroke.

3) This sign shall include a 24-hour emergency phone number.

4) Landowner's name, WECS owner's name, and operator's name.

5) Emergency telephone numbers and web address. (list more than one number).

6) If WECS uses fencing, place signs on the perimeter fence at fence entrance door.

7) Unique identification such as address of WECS. If more than one WECS on access drive, units shall have further identification such that first responders can positively identify.

(xv) Communication Interference: Each WECS shall be designed, constructed and operated so as not to cause radio and television or other communication interference. In the event that verified interference is experienced and confirmed by a licensed engineer, the Applicant must produce confirmation that said interference had been resolved to residents' satisfaction within ninety (90) days of receipt of the complaint. Any such complaints shall follow the process stated in Section D.9.

(xvi) Braking: Each WECS shall be equipped with a braking, or equivalent device, capable of stopping the WECS operation in high winds with or without SCADA control. Braking system shall be effective during complete GRID power failure where WECS are unable to communicate with SCADA control or receive power.

(xvii) Applicant Compliance: The WECS and related equipment shall comply with any and all State, Federal, County and Township requirements, and obtain all necessary permits from the FAA, Michigan Department of Transportation, and/or any other Federal, State, Township, or other government authority prior to construction of any WECS.

(xviii) Liability Insurance: Before commencing construction of the WECS, Applicant must provide to the Township staff proof of the owner/operator's public liability insurance. If the applicant is approved, proof of insurance shall be provided to the Township annually thereafter. The policy shall provide for bodily injury and property damage and shall name the Township and the property owner as an additional insured. The owner/operator shall insure for liability for the utility scale solar system until removed for at least $25,000,000 per occurrence to protect the owner/operator, Township, and the property owner. Proof of a current policy is required annually and shall be provided each year to the Township prior to the anniversary date of the Special Land Use Permit.

(xix) Decommissioning: To ensure proper decommissioning of a WECS upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

1) The amount of each WECS security guarantee, shall be the average of at least two independent (applicant) demolition (removal) quotes obtained by the Planning Commission and approved by the Township Board. If the quantity of quotes obtained is two (2), the formula should be (quote 1 + quote 2) divided by two.
2) Quotes shall be based on individual WECS removal and shall not group multiple WECS simultaneous removals together. Quotes shall be ordered and obtained by the Township from established demolitions companies. Quotes shall not include salvage values. The cash deposit shall be updated every two (2) years at the rate of 1.5 times CPI (consumer price index) for each year. b) Such financial guarantee shall be deposited with the Township Treasurer after a special use has been approved but before construction operations begin on the WECS project. Failure to keep such financial security in full force and effect at all times while the structure exists shall constitute a material and significant violation of a special use approval and this ordinance and shall subject the Applicant to all available remedies to the Township, including enforcement action, fines, revocation of the special use approval and WECS removal. The Applicant shall be responsible for the payment of all attorney fees and other costs incurred by the Township in the event that the structure is not voluntarily removed and the Township has to enforce removal.
3) The Applicant/Owner and Operator shall execute any and all document (as provided or approved by the Township), sufficient to provide the Township with a perfected security interest in monies deposited with the Township for the purpose of decommissioning any wind energy conversion system.

(xx) Transfer or Sale. In the event of a transfer or sale of the WECS, the Township shall be notified, and the special land use permit may be amended administratively by the Township board.

1) In the event of an ownership change the current owner shall present at a meeting of the Township Board a report and information regarding the following:

    a) The current condition of the WECS Tower

    b) Description and introduction of the new owner

    c) Any changes to ongoing maintenance of the WECS

2) Any proposed changes to the operating procedure or approved site plan shall be amended and resubmitted for Township review according to the procedures for all WECS as outlined herein, including a public hearing.

3) Upon transfer or sale, the cash bond shall be maintained at all times, the estimated costs of decommissioning shall be resubmitted, and the security bond adjusted to account for the new estimate.

(xxi) Safety Manual: The Applicant must provide an unredacted copy of the manufacturer's safety manual for each model of turbine without distribution restraints to be kept at the Township Hall and other locations deemed necessary by Planning Commission or local first responders. The Manual should include standard details for an industrial site such as materials, chemicals, fire, access, safe distances during WECS failure, processes in emergencies, etc.

(xxii) Operational, Maintenance, and Issue Resolution: Each WECS and Testing Facility must be kept and maintained in good repair and condition at all times. If a WECS is not maintained in operational and reasonable condition or poses a potential safety hazard, the Applicant shall take expeditious action to correct the situation, including WECS removal. The Applicant shall keep a maintenance log on each WECS and must provide complete log to the Township within thirty (30) days of request. To assure compliance with this requirement, an annual audit of maintenance records, conducted by a qualified third-party maintenance expert acceptable to the Township, shall be completed at the expense of the owner/operator of the turbine, and a copy of this report provided as specified by the Township.

1) WECS must be maintained and kept in operational working order or shall be removed by the owner of the wind energy conversion system. Any wind energy conversion system, or part of a wind energy conversion system such as a wind turbine generator, that has not produced electrical energy for 6 consecutive months shall be deemed to be abandoned; provided, however, that the owner or operator of the wind turbine may apply to the Planning Commission, not less than 60 days prior to the expiration of said 6-month period, for one additional extension of up to six months upon establishing, to the satisfaction of the Planning Commission, that the lack of production was caused by reasons beyond the control of the owner or operator. In determining whether such abandonment has occurred, the Planning Commission or Township Zoning Administrator may request, and the operator, system owner, or property owner shall provide written documentation accurately indicating the amount of electrical energy produced by the wind energy conversion system during said 6-month period. It shall be the obligation of the wind energy conversion system owner to remove the abandoned wind energy conversion system.

2) An escrow account shall be set up when the applicant applies for a Special Use Permit for a WECS and WECS Testing Facilities to cover permitting costs. The monetary amount filed by the Applicant with the Township shall be in an amount estimated by the Township Board to cover all reasonable costs and expenses associated with the special use zoning review and approval process, which costs can include, but are not limited to, fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates it may have done related to the zoning review process for the particular application. Such escrow amount shall include regularly established fees. At any point during the zoning review process, the Township may require that the Applicant place additional monies into the Township escrow should the existing escrow amount filed by the Applicant prove insufficient. If the escrow account needs replenishing and the Applicant refuses to do so within fourteen (14) days after receiving notice, the zoning review and approval process shall cease until and unless the Applicant makes the required escrow deposit. Any escrow amounts which are in excess of actual costs shall be returned to the Applicant within ninety (90) days of permitting process completion. An itemized billing of all expenses shall be provided to the Applicant. The Township shall hire qualified professionals for each and any of the technical fields associated with the Special Use Permit, such as, but not limited to, electrical, acoustics, environment, economics, wildlife, health, and land-use.

3) **Transfer or sale**. In the event of a transfer or sale of the WECS, the Township shall be notified and the special land use permit, may be amended administratively by the Township board.

   a) Change in ownership alone shall be considered a minor amendment to the special land use and may be approved administratively without a public hearing.

   b) Any proposed changes to the operating procedure or approved site plan shall be amended and resubmitted for Township review according to the procedures for all WECS as outlined herein, including a public hearing.

   c) Upon transfer or sale, the cash bond shall be maintained at all times, the estimated costs of decommissioning shall be resubmitted, and the security bond adjusted to account for the new a performance bond or letter of credit, in an amount determined by the Planning Commission to be sufficient to cover the entire cost of removal, shall be submitted by the applicant prior to the issuance of the special land use. To assist the Planning Commission in determining the amount of the performance bond or letter of credit, the applicant may submit information regarding the estimated cost to remove a wind energy conversion system.

4) The WECS owner or operator shall provide the Zoning Administrator with a copy of the monthly maintenance inspections for WECS located on absentee landowner parcels.

5) Applicant must provide Township with current copy of the un-redacted manufacturer's user manuals including safety manuals with permit application. Manufacturer's safety manuals will be made available for review upon request by any resident living within 2 miles of any Industrial Wind Turbine.

6) If there is a mechanical failure resulting in, but not limited to, an abnormal sound emission, release of a pollutant, or a public safety hazard including blade throw, ice throw, fire or injury to any person or property, the Zoning Administrator shall be notified of the event the next day of business following the event. The applicant shall provide the Township at the time of application an operational procedure for this event, a mitigation strategy, and appropriate emergency contact information. A written report describing the failure and the owner's response to the failure shall be submitted to the Zoning Administrator within 10 business days of the event. Sound emitted from a wind turbine generator that is the result of a mechanical failure or lack of maintenance may not be subject to the complaint resolution procedure outlined in D.9. Emergency contact information and a turbine reference number shall be placed in an appropriate location near the site of the turbine, such as at the gate for the access road, so it can be viewed without trespassing on private property.

(xxiii) Environmental Regulations.

1) **Site Clearing**. Clearing of natural vegetation shall be limited to what is necessary for construction, operation, and maintenance of the WECS. No more than two (2) inches of topsoil shall be moved from the original landscape. Other items, such as lumber, stones, etc., may be removed upon written consent of the Planning Commission.

2) **Pesticides Prohibited.** The use of pesticides is prohibited.

3) **Baseline Soil Testing**. Prior to commencing any construction or installation of a WECS, the owner of the facility or the property must submit a baseline soil test to the Township.

(xxiv) Greenbelt Buffer. A WECS must be screened by a greenbelt buffer between the use and all adjacent rights-of-way and adjacent properties. Greenbelt buffers must all of the following criteria:

1. Greenbelts must have a minimum width of ten (10) feet and may be interrupted only to provide for pedestrian or vehicular access.

2. Greenbelts shall be planted with appropriate ground covers.

3. A mixture of deciduous shade trees, ornamental trees, evergreen trees, and shrubs shall be planted along the greenbelt buffer at a minimum concentration of one (1) tree and three (3) shrubs per 15 linear feet of greenbelt length along a property line or street frontage.

(c) Complaint Resolution. The purpose of this section is to provide the public with a mechanism to file a complaint with the wind energy conversion system owner and the Zoning Administrator and receive a timely response from the wind energy conversion system owner regarding alleged wind energy conversion system ordinance violations. The applicant shall submit procedures which it intends to implement for receiving, acting upon, and resolving complaints or allegations that the wind energy conversion system is not in compliance with this ordinance.

(i) Complaint resolution procedures must be presented at the time of application and must meet the approval of the Planning Commission prior to approval of a special land use. Those procedures, at a minimum, shall:

1) Require the system owner to accept complaints regarding non-compliance with the ordinance from all property owners within the project boundary and up to one a two-mile radius of a wind turbine generator.

2) Provide a telephone number and mailing address at which the operator can be contacted for purposes of submitting complaints or allegations of non-compliance.

3) Require that all such complaints or allegations be submitted in writing.

4) As a condition of the system owner acting on the complaint, require that a complainant allow the wind energy conversion system owner or designated staff, or other authorized personnel such as an engineer or acoustic professional, on the property of the complainant for further investigation and testing.

5) Set forth information that must be included in the complaint or allegation.

6) Require that a complaint is acknowledged in writing by the wind turbine owner to both the complainant and the Zoning Administrator within five (5) business days of receipt of said complaint.

7) Set forth the number of days, not to exceed thirty (30), in which the operator shall investigate and resolve any and all complaints or allegations, either by way of correction or formal denial of non-compliance.

8) Require the operator to advise the Zoning Administrator in writing of the resolution of any complaint or allegation of non-compliance within thirty (30) days of its receipt of the same.

(ii) Any complaint not resolved within thirty (30) days shall result in a performance review by the Planning Commission as described in Section D.12. Resolution or mitigation of a complaint that involves construction, landscaping, testing or other significant alteration/operational condition that is dependent on seasonal or other conditions may exceed thirty (30) days if approved by the Planning Commission.

(iii) For complaints not resolved within (30) days, the Planning Commission may request punitive damages for the complainant(s) and a civil penalty for the Commission to vindicate the public interest.

(iv) It shall be a violation of this ordinance to modify the approved complaint resolution procedures without the prior approval of the Planning Commission.

(d) Non-Compliance with Standards: The Township Board reserves the right to require WECS Applicant to shut down any WECS unit that does not meet ordinance requirements until such WECS unit meets ordinance requirements or is removed.

(e) Signal Interference. Through the appropriate placement of wind turbine generators, the applicant shall design to eliminate any interference such as, but not limited to, internet (Wi-Fi or satellite), AM or FM radio, cell telephones (including cellular and landline), 911, satellite television, microwave, navigational, emergency systems, and digital television. Post-construction signal interference caused by the wind energy conversion system shall be mitigated by the wind energy conversion system owner at their expense.

(i) An application shall include a Licensed Microwave Search and Worst-Case Fresnel Zone (WCFZ) analysis.

(ii) The application shall include an interference mitigation plan. The plan shall describe mitigation measures and procedures to eliminate interference from the wind energy conversion system. The plan shall address various forms of interference and corresponding mitigation measures employed before and after construction of the wind energy conversion system. The plan must include relevant maps and modeling showing all known television, internet, emergency services, radio broadcast, or other signal paths along with proposed wind turbine locations.

(f) Performance Review. The Planning Commission shall require a performance review of the special land use on a three-year basis or as it may be required. The three-year time period commences after the first turbine of the wind energy conversion system becomes operational. The Planning Commission shall provide the performance review, and the Township shall perform, where reasonably practicable, investigation regarding a complaint or other matter requiring a performance review. In its sole discretion, the Township may require the assistance of an independent third party due to the specialized nature of the complaint, conflicting evidence, or other condition. The reasonable cost of an independent third-party consultant shall be at the expense of the WECS owner. Failure to maintain compliance with this ordinance shall result in enforcement action which may include the termination of the special land use, or portions of the special land use. The Township will retain jurisdiction to modify, suspend or revoke all IWT licenses, should any violations occur.

(i) To administer the provisions relating to the WECS, the Township may hire consultants and experts as are reasonably necessary in the sole discretion of the Township. The applicant shall pay the Township in advance for the costs of such consultants and experts. The Township may charge an annual fee to be determined by the Eagle Township Board and assess additional fees in order to execute its responsibilities related to a project. Any fees charged must be reasonable in light of efforts required.

(ii) The purpose of the performance review is to evaluate the status of:

1) Compliance with Special Land Use. Compliance with the conditions set forth by the special land use, such as specific mitigation measures or operation procedures.

2) Ownership Change. Changes in ownership or operation of the wind energy system. (Already addressed)

3) Avian or Bat Mortality. A significant avian or bat mortality event that exceeds projected impacts described in the Wildlife Study as required in Section D.2.(e).3 of this ordinance.

4) Other. Other matters as determined by the Planning Commission.

5) Unresolved and/or repeated complaints. A complaint taking longer than thirty (30) days to resolve may require a performance review unless otherwise specified in the ordinance. If after the performance review and further investigation, the Planning Commission verifies that alleged ordinance violations are the result of the operation or condition of the wind energy conversion system, the owner/operator shall eliminate the non-compliance by mitigation or other measures which may include temporary operational changes. The Planning Commission shall establish the effective date of the mitigation measure based on the nature of the mitigation.

6) As a condition of the Planning Commission conducting a performance review, the complainant shall be required to allow Township staff, the wind energy conversion system owner or designated staff, or other authorized personnel such as an engineer or acoustic professional, on the property of the complainant for further investigation and testing.

7) Actions taken by the Planning Commission to terminate or modify the Special Land Use, portions of the Special Land Use, or the conditions of the Special Land Use shall require a public hearing and notification to the wind energy conversion system owner pursuant to the conditions of the original permit.

(4) Utility Scale Wind Energy Conversion Systems Under PA 233: On or after November 29, 2024, once PA 233 of 2023 is in effect, then the following provisions apply to Utility Scale Wind Energy Conversion Systems.

To the extent the following provisions conflict with the provisions in Sections 5.51(A)-(D), these provisions control as to Utility Scale Wind Energy Conversion Systems. All provisions in Sections 5.51(A)-(D) that do not conflict with this subsection E remain in full force and effect and shall be applicable to all Utility Scale Wind Energy Conversion Systems regardless of nameplate capacity. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in

effect.

(a) **Setbacks**. Utility Scale Wind Energy Conversion Systems must comply with the following minimum setback requirements, with setback distances measured from the center of the base of the wind tower:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	2.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Residences and other structures on participating properties	1.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Nonparticipating property lines	1.1 times the maximum blade tip height
Public road right-of-way	1.1 times the maximum blade tip height to the center line of the public road right-of-way
Overhead communication and electric transmission, not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height to the center line of the easement containing the overhead line

(b) **Shadow Flicker**. Each wind tower must be sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.

(c) **Height**. Each wind tower blade tip must not exceed the height allowed under the Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.

(d) **Noise**. The Utility Scale Wind Energy Conversion Systems must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

(e) **Lighting**. The Utility Scale Wind Energy Conversion Systems must be equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lighted with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The Township may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:

(b) The purpose of the exemption.

(c) The proposed length of the exemption.

(d) A description of the light-mitigating technologies submitted to the Federal Aviation Administration.

(e) The technical or economic reason a light-mitigating technology is not feasible.

(f) Any other relevant information requested by the Township.

(f) **Radar Interference**. The Utility Scale Wind Energy Conversion Systems must meet any standards concerning radar interference, lighting (subject to subparagraph 5), or other relevant issues as determined by the Township.

(g) Environmental Regulations. The Utility Scale Wind Energy Conversion Systems must comply with applicable state or federal environmental regulations.

(h) Host Community Agreement. The applicant for a special land use permit for a Utility Scale Wind Energy Conversion Systems shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Utility Scale Wind Energy Conversion Systems owner must pay the Township $2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 5.52 Wireless Telecommunications

(A) **Definition:** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

(B) **Standards:**

(1) New Facilities. New wireless telecommunications facilities shall be permitted by Special Use approval in all Zoning Districts, regardless of whether a new support structure (tower) will be constructed or not, subject to the following standards:

(a) Before constructing a new facility, the applicant must demonstrate that they cannot achieve the needed service improvement by co-locating at an existing facility.

(i) The applicant must submit coverage and/or capacity information, including propagation maps and other information requested by the Township, to demonstrate the needed service improvement and why co-location is not possible.

(ii) If an owner or operator of an existing tower refuses to allow a co-location, written evidence of the denial of the co-location request must be submitted to the Township and must include the reason for the denial.

(iii) The proposed colocation will not do any of the following:

1) Increase the overall height of the wireless communications support structure by more than twenty (20) feet or ten percent (10%) of its original height, whichever is greater.

2) Increase the width of wireless communications support structure by more than the minimum necessary to permit colocation.

3) Increase the area of the existing equipment compound to greater than 2,500 sq. ft.

(iv) The proposed colocation complies with the terms and conditions of any previous final approval by the Planning Commission.

(b) To the extent practical, all ground equipment associated with the facility must be enclosed within a locked building.

(c) Information must be submitted showing that the facility is in compliance with all applicable FCC regulations regarding radio frequency emissions.

(d) Information must be submitted showing that the facility will not cause interference with any nearby existing telecommunications facilities.

(e) Signage notifying the public of potential high voltage and radio frequency emissions and giving the contact information for the tower owner and the operators of all equipment on the site must be posted on the exterior fence.

(f) If a new tower is to be constructed for the facility, it shall meet the following standards:

(i) The tower must be set back from all property lines by a distance equal to 1.5 times its height.

(ii) Lighting on the tower shall prohibited unless required by the Federal Aviation Administration.

(iii) The tower must be a monopole design. Guyed and lattice towers are prohibited.

(iv) No signage shall be placed upon the tower structure.

(v) The tower must be the shortest possible height required to provide the service desired by the applicant. The applicant must submit coverage and/or capacity information, including propagation maps and other information requested by the Township, to demonstrate the needed service improvement and why the requested height is necessary. The Township may request further information, including propagation maps, demonstrating the service at lower heights, in order to determine for itself whether the requested height is necessary.

(vi) The base of the tower and all associated equipment must be surrounded by a locked, opaque screening fence meeting the standards of the zoning district that the tower is located within.

(vii) The applicant must specify the number of co-location sites that will be available on the tower.

(viii) A structural analysis, signed and sealed by a licensed engineer, must be submitted demonstrating that the proposed tower will be able to support all proposed antennae, including co-locations.

(ix) The applicant must submit renderings or photo-sims of the proposed tower as viewed from the following locations:

1) The nearest public roadway.

2) The nearest residential use.

3) Any other location requested by the Township from which the tower may potentially be visible.

(2) Co-locations and Modifications to Existing Facilities:

(a) Co-locations and modifications to existing facilities shall not require Special Use or Site Plan Approval, except as described in Subsection b, below. The Zoning Administrator shall have the authority to approve all co-locations and modifications that meet the standards of this chapter.

(b) Under the following circumstances, co-locations and modifications shall require Special Use approval, regardless of the Zoning District they are located in:

(i) The applicant proposes to increase the height of an existing tower by more than 20 feet, or ten percent of its original height, whichever is greater.

(ii) The applicant proposes to increase the width of the tower by more than the minimum necessary for structural stability given existing and proposed antennae.

(iii) The applicant proposes to increase the ground-level compound to more than 2,500 square feet in area.

(c) Co-locations and modification must meet the following standards in order to be approved, either administratively or by Special Use.

(i) The applicant must submit a structural analysis, signed and sealed by a licensed engineer, demonstrating that the tower, in its present condition, has the structural capacity to support any proposed new antennae or other tower-mounted equipment.

(ii) The applicant must submit the results of an inspection of the condition of the tower and equipment compound, noting any potential problems with the facility that could impact the health, safety, and welfare of the surrounding area, or the effective provision of service from the facility. Any concerns raised by the inspection must be corrected during construction of the modification of co-location.

(iii) Information must be submitted showing that the facility is in compliance with all applicable Federal Communications Commission regulations regarding radio frequency emissions.

(iv) Information must be submitted showing that the facility will not cause interference with any nearby existing telecommunications facilities.

(v) No lighting may be added to the tower unless required by the Federal Aviation Administration.

(vi) Signage notifying the public of potential high voltage and radio frequency emissions and giving the contact information for the tower owner and the operators of all equipment on the site must be posted on the exterior fence. No sign shall be placed upon the tower structure.

(3) Timelines for Approval. The Township will comply with all State and Federal requirements for approval timelines. As of the adoption of this Ordinance, those were as described in Subsections (a) and (b) below. In the event of changes to Federal or State law, this section shall be void and the laws in place at the time of application shall be followed.

(a) For new facilities, the Township shall request all required information within 14 business days of the application being filed with the Building Department. The Township shall issue a decision on the Special Use within 90 days of the application being deemed complete by the Township.

(b) For modifications and co-locations, the Township shall request all required information within 14 business days of the application being filed with the Building Department. The Zoning Administrator shall issue an administrative approval within 60 days of the application being deemed complete by the Township.

(4) Abandonment and Removal. All wireless facilities and support towers shall be removed by the property owner and/or owner of the tower if the facility is not used for telecommunications for a period of six months.

Article 6 General Provisions

Section 6.01 Administrative Regulations

(A) **Scope of Regulations.** No structure or tract of land shall hereafter be used or occupied, and no structure, or part thereof, shall be erected, altered, or moved, except in conformity with the provisions of this Ordinance.

However, where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this Ordinance and construction is begun within six months of the effective date, said building or structure may be completed in accordance with the approved plans. Furthermore, upon completion the building may be occupied under a Certificate of Occupancy for the use for which the building was originally designated, subject thereafter to the provisions of Article 8 concerning nonconformities. Any subsequent text or map amendments shall not affect previously issued valid permits.

(B) **Relationship to Other Ordinances or Agreements.** This Ordinance is not intended to abrogate or annul any ordinance, rule, regulation, permit, easement, covenant, or other private agreement previously adopted, issued, or entered into and not in conflict with the provisions of this Ordinance.

However, where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than other such ordinances, rules, regulations, permits, easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.

(C) **Vested Right**. Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district**,** zoning classification, or permissible activities therein. Furthermore, such rights as may exist through enforcement of this Ordinance are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety, and welfare, to the extent that such rights are not protected by the nonconforming use provisions in Article 8.

(D) **Continued Conformity with Yard and Bulk Regulations**. The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, for as long as the building is in existence.

No portion of a lot used in complying with the provisions of this Ordinance in connection with an existing or planned building, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

(E) **Division and Consolidation of Land.** The division and consolidation of land shall be in accordance with the Land Division Act (Michigan Public Act 288 of 1967, as amended), and the Eagle Township Land Division Ordinance, Ordinance No. 89. No lot or parcel shall hereafter be divided into two or more lots and no portion of any lot shall be sold, unless all zoning lots resulting from each such division or sale conform to all regulations of the zoning district in which the property is located. The provisions of Article 7 shall also apply where applicable.

(F) **Moratorium by Resolution.** The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the Master Plan or Zoning Ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review and recommend amendments to the Master Plan or Zoning Ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare. Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the Master Plan or Zoning Ordinance to regulate land uses. Any extension shall not exceed six (6) additional months. Notice of the resolution must be published within seven (7) days of its adoption. The notice must include the following:

(1) A summary of the resolution's effect.

(2) The length of the moratorium and whether an extension is possible.

~~**(0)**~~**(3)** Where the public may inspect the resolution enacting the moratorium.

Section 6.02 Accessory Buildings, Structures, and Uses

(A) **General Requirements.**

(1) Timing of Construction. No accessory building, structure, or use shall be constructed or established on a parcel unless there is a legally-established principal building, structure, or use being constructed or already established on the same parcel of land. A parcel may not be divided if such division would result in an accessory building, structure, or use on a parcel on which there is no principal building, structure or use.

(2) Review and Approval. The Zoning Administrator shall review all proposed accessory structures for compliance with this Ordinance.

(3) Location in Proximity to Easements or Rights-of-Way. Accessory Buildings, structures, or uses shall not be located within a dedicated easement or right-of-way.

(4) Accessory Farm Buildings. The requirements in this section shall not apply to accessory buildings (such as barns and silos) used on a farm, as defined in Section 17.01. No structure that contains a dwelling unit shall be considered an accessory farm building.

(B) **Attached Accessory Buildings.** Unless otherwise specified in this Section, accessory buildings or structures which are attached to the principal building (such as an attached garage, breezeway, or workshop) shall be considered a part of the principal building for the purposes of determining conformance with area, setback, height, and bulk requirements. A breezeway or other attachment between the principal building and the accessory building or structure must have a complete foundation and must provide interior access to both buildings for the accessory building to be considered "attached".

(C) **Detached Accessory Buildings.**

(1) Location. Detached accessory buildings and structures shall not be located in a front yard, except if one of the following sets of conditions are met:

(a) Condition Set One:

(i) The parcel exceeds five (5) acres in lot area; and

(ii) All setback · requirements of the district in which the accessory structure is to be located are complied with; and

(iii) The accessory structure shall be located not less than two-hundred and twenty-five (225) feet from the road right-of-way; and

(iv) The accessory structure shall be located no closer than fifty (50) feet to an existing residential structure on an adjacent parcel.

(b) Condition Set Two:

(i) Accessory structure exterior siding generally matches the color of the principal structure of which it is accessory to; and

(ii) Accessory structure roofing material generally matches the color of the principal structure of which it is accessory to; and

(iii) Accessory structure must meet the minimum front yard setback of a principal structure in the district that it is located and must be located no more than seventy-five (75) feet from the principal structure; and

(iv) The accessory structure shall be located no closer than fifty (50) feet to an existing residential structure on an adjacent parcel; and.

(v) No more than twenty (20) percent of an accessory structure floor area shall be located within an area defined as between the principal structure's front building line and the public right-of-way and the principal structures side building lines so as to not obstruct the view of the principal structure from the public road right-of-way.

(2) Minimum Setback - Residential. For accessory structures serving residential principal uses, the minimum setback from side and rear lot lines shall be 5 feet. If the detached accessory structure is more than fourteen (14) feet in height, then one (1) foot additional setback · must be provided per each foot above fourteen feet.

(3) Minimum Setback – Non-Residential. For accessory structures serving non-residential principal uses, the minimum setback from side and rear lot lines shall be the same as the minimum setback requirements for principal buildings in the Zoning District the lot is located within.

(4) Minimum Setback from Other Structures. The minimum setback from all other structures shall be 10 feet.

(5) Size. The total of all detached accessory buildings located on a parcel shall be subject to maximum lot coverage requirements and accessory structure size shall be subject to the restrictions in floor area based upon parcel size listed in the schedule below.

MAXIMUM FLOOR AREA OF ACCESSORY BUILDINGS	
Parcel (Lot) Size	Total Accessory Floor Area ↔
One-half (1/2) acre or less	1,200 sq. ft.
More than one-half (1/2) and less than one (1) acre	1,600 sq. ft.
More than one (1) acre and less than five (5) acres	1,600 sq. ft. plus 2 sq. ft. of floor area for 100 sq. ft. of lot area not to exceed 5,000 sq. ft.
More than five (5) acres	1,600 sq. ft. plus 2 sq. ft. of floor area for 100 sq. ft. of lot area not to exceed 7,500 sq. ft.

(6) Height. Unless otherwise noted in this ordinance, the maximum height of an accessory building or structure (as defined in Section 17.01) shall be based on the size of the parcel as follows:

Parcel Size	Maximum Height
1 acre or less	18 ft.
Over 1 acre	24 ft.

(7) Swimming Pools: Private swimming pools shall be considered as accessory structures and are subject to the following:

(a) No portion of the swimming pool or associated structures shall be permitted to encroach upon any easement or right-of-way that has been granted for public utility use.

(b) Rear or side yard setback shall not be less than ten (10) feet between the pool outside wall and the side or rear property line, or less than ten (10) feet between pool wall and any building on the lot. Front yard setbacks shall be that required of a principal structure in the district where located.

(c) The pool fence shall not be built within the required front yard.

(d) For the protection of the general public, all swimming pools shall be completely enclosed by a chain link fence or a fence of comparable safety not less than four (4) feet or more than six (6) feet in height and set at a distance of not less than four (4) feet from the outside perimeter of the pool wall. All openings in any such fence or building shall be equipped with a self-closing, self-latching gate or door which shall be securely locked with a tamper-proof lock when the pool is not in use.

(e) Above ground pools of four (4) feet or more in wall height shall be exempt from complete enclosure by a fence. However, above ground pools shall be equipped with a removable ladder or locking gate system at all points of entry to the pool. Said ladder and gate system shall effectively control access to the pool. Said ladder shall be removed or gate locked when the pool is not in use.

(8) Shipping Containers:

(a) Temporary Shipping Containers, including, but not limited to, PODS, may be installed on a lot without a foundation under the following circumstances:

(i) Up to 120 days within a calendar year with no permit or approval required from the Township Zoning Administrator.

(ii) If a complaint is received for temporary shipping container, then a 90-day calendar day period starts before the parcel owner has to remove the shipping container from property.

(iii) No extensions shall be granted under this section. For a temporary accessory structure in place for more than 90 days after a complaint is received, an application must be submitted and approved under Section of Permanent Shipping Containers.

(iv) Another shipping container cannot be utilized on same parcel for at least 180 days after removal of temporary shipping container.

(v) No more than three (3) Shipping Containers may be on any given lot at any given time.

(vi) Shipping Containers shall not be stacked on top of one another.

(vii) Nothing shall be stored on top of a Shipping Container.

(viii) Shipping Containers shall not block parking spaces, drive aisles, ingress/egress to any other building or structure, or fire department hose connections, and shall not otherwise create a safety hazard, in the opinion of the Zoning Administrator.

(ix) Junk shall not be stored around or nearby shipping container.

(x) The temporary shipping container shall be exempt from the provisions of Sections 6.02.A and 6.02.C.1-6, but must be placed at least 5 feet from all lot lines.

(xi) For site reconstruction, during construction of a permanent building on the site or during the repair of a permanent building that was destroyed or damaged by a natural or manmade event, such as fire, flood, windstorm, or tornado, to the extent that it is uninhabitable a shipping container can be used for the period of construction, not to exceed one (1) year.

(b) Permanent Shipping Containers upon the granting of a Zoning Compliance Permit.

(i) The permanent shipping container shall not be exempt from the provisions of Sections 6.02.A and 6.02.C.1-6, but must be placed at least 20 feet from all lot lines.

(ii) Permanent Shipping Containers are not permitted in the R, RE or MH Districts.

(iii) Any shipping container in place for more than 365 days must meet all other requirements of this Section (6.02), and all other applicable ordinance requirements and must receive a compliance permit by Zoning Administrator.

(iv) No more than three (3) Shipping Containers may be on any given lot at any given time.

(v) Shipping Containers shall not be stacked on top of one another.

(vi) Nothing shall be stored on top of a Shipping Container.

(vii) Shipping Containers must be located within an area screened from view from adjacent properties and public rights-of-way by either buildings or an opaque fence or wall at six (6) feet in height. The fence or wall shall be constructed of durable material, such as wood, vinyl, or masonry.

(viii) Shipping Containers may only be used accessory to the principal use of the property. They shall not be rented or otherwise provided to any other person or entity for a use other than the principal use of the property.

(ix) Shipping Containers shall not block parking spaces, drive aisles, ingress/egress to any other building or structure, or fire department hose connections, and shall not otherwise create a safety hazard, in the opinion of the Zoning Administrator.

(x) Shipping containers cannot have structures built above or between shipping containers.

Section 6.03 Exceptions

(A) **Essential Services.** Essential Services, as defined in Article 20, shall be permitted as authorized and regulated by franchise agreements and federal, state, and local laws and ordinances, it being the intention of this ordinance to permit modification to regulations governing lot area, building or structure height, building or structure placement, and use of land in the Township when strict compliance with such regulations would not be practical or feasible.

Although Essential Services may be exempt from certain regulations, proposals for construction of Essential Services shall still be subject to site plan review and special land use review in all zoning districts, it being the intention of the Township to achieve efficient use of the land and alleviate adverse impact on nearby uses or lands. Essential Services shall comply with all applicable regulations that do not affect the basic design or essential operation of said services.

(B) **Voting Place.** The provisions of this Ordinance shall not be construed to interfere with the temporary use of any property as a voting place in connection with a public election.

Section 6.04 Home-Based Businesses

(A) **Definition:** Any use customarily conducted entirely within the dwelling and carried on by the inhabitant thereof, including giving instruction in a craft or fine art within the residence, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided, however, that no article or service is sold or offered for sale on the premises, except that such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary to residential areas.

(B) **Standards.**

(1) Type 1 Home-Based Business. A Type 1 Home-Based Business is a profession or an occupation that is clearly a customary, incidental, and secondary use of a residential dwelling unit and does not negatively impact the character of the neighborhood in which the Home-Based Business is located.

(a) Type 1 Home-Based Businesses shall fall within the following categories and shall not be permitted if not consistent with at least one of the descriptions below.

(i) Professional Office: Workspace for an accountant, lawyer, architect, engineer, or similar profession.

(ii) Hairdresser/Nail Salon/Spa: Facilities for the cutting of hair, decoration of nails, or other spa or beauty services.

(iii) Medical Office: Facilities for the provision of low intensity medical care. Physical therapy and therapeutic massage shall be permitted, but dental care shall be prohibited. Surgery and other invasive medical procedures shall be prohibited.

(iv) Fine Arts/Craft Instruction: Facilities for the provision of instruction in a craft or fine art, where no more than one student at a time is provided services on the premises.

(v) Online Sales: Workspace for a business that engages in online retail sales, where no sales are made to customers on-premises.

(vi) Food or Drink Production: Facilities for the preparation of edible products, where customers do not consume the edible products on-site. Pick-up of products by customers shall be permitted.

(vii) Service Business Office: Workspace for the administrative staff of a service business, such as cleaning, handyman services, electronics repair, or a similar business, where all service work is provided off-site, and clients or customers visit the administrative Workspace infrequently or not at all.

(viii) Marijuana Caregiver: The physical premises of a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has not been convicted of any felony within the past 10 years, has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter 10 of the code of criminal procedure, 1927 PA 175, MCL 770.9a, and is licensed to distribute medical marijuana under Initiated Law 1 of 2008.

(b) Location and Employees: The Home-Based Business shall be conducted solely within the dwelling unit, or within a permitted accessory building, by residents of that dwelling unit. No person, employee or volunteer, shall be involved in the regular business of the Home-Based Business, on a daily or frequent basis, who does not live within the residential home on the site.

(c) Equipment or Process: No equipment or process shall be used in the Home-Based Business which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the exterior walls of the dwelling unit in which the Home-Based Business is conducted.

(d) Noise: The Home-Based Business shall not generate noise that is audible beyond the exterior walls of the dwelling.

(e) Exterior Alterations: There shall be no exterior alteration of the premises in connection with the Home-Based Business.

(f) Size Limitation: No more than thirty percent (30%) of the total floor space (including basements) of the principal structure shall be devoted to the Home-Based Business. The entirety of any permitted accessory building on the site may be used for the Home-Based Business.

(g) Storage: All articles or materials used in connection with the Home-Based Business shall be stored within the principal building, or within a permitted accessory building. No outside storage is permitted.

(h) Limitation on Customers: No more than one customer, client, or patient shall be provided goods or services at a Type 1 Home-Based Business at any given time.

(i) Signage Restriction: No permanent signage over two square feet in area shall be erected on the site of a Type I Home-Based Business.

(j) Marijuana Caregiver Co-Location Prohibited: No more than one marijuana caregiver shall operate on any given lot.

(k) Licensure and Regulations: All professionals working in a Home-Based Business shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with the Type 1 Home-Based Business regulations, then the use shall be deemed a Type 2 Home-Based Business, and shall be required to receive Special Use Approval, and meet the standards in Subsection 2, in order to operate.

(2) Type 2 Home-Based Business. A Type 2 Home-Based Business is a business, institution, or non-profit that, while incidental and accessory to a residential use, is more intensive and larger in scale than a Type 1 Home-Based Business. The following regulations are intended to ensure that Type 2 Home-Based Businesses do not negatively impact their surroundings or the health, safety, and welfare of the Township.

(a) Type 2 Home-Based Businesses shall fall within the following categories and shall not be permitted if not consistent with at least one of the descriptions below.

(i) Equipment Repair and Service: Facilities for the repair or service of lawn mowers, motorcycles, electronics, appliances, bicycles, buggies, and other similar goods, where the repair or service takes place on-site. The repair of large vehicles, such as automobiles, boats, or aircraft shall not be permitted.

(ii) Artisan Production: Facilities for the production and sale of hard goods, such as furniture, cabinets, artwork, decorative home goods, and other similar goods. Production of electronics or motorized vehicles shall be prohibited, but production of non-motorized vehicles, such as buggies or bicycles, shall be permitted. Retail sales shall be limited to goods produced on the site.

(iii) Commercial Kennels: Must meet the standards of this Section and Section 6.05.E.2.

(iv) Type 1 Home-Based Business Not Meeting Type 1 Standards: A Home-Based Business listed under Type 1 that does not meet the requirements for a Type 1 Home-Based Business may be approved as a Type 2 Home-Based Business, provided that all requirements of this section are met.

(b) Location and Employees: The Home-Based Business shall be conducted solely within the dwelling unit, or within a permitted accessory building. No more than three people who do not live within the residential home on the site shall be involved in the regular business of the Home-Based Business, on a daily or frequent basis, regardless of whether they are employees or volunteers.

(c) Equipment or Process: No equipment or process shall be used in the Home-Based Business which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the property lines where the Home-Based Business is taking place.

(d) Noise: The Home-Based Business shall not generate noise that is disturbing to the peace and quiet on properties in proximity to the Home-Based Business. Animal noises shall be subject to this section.

(e) Size Limitation: No more than fifty percent (50%) of the total floor space (including basements) of the principal structure shall be devoted to the Home-Based Business. The entirety of any permitted accessory building on the site may be used for the Home-Based Business.

(f) Floor Plan Requirement: As part of the Special Use application, the applicant must submit a floor plan of the principal building, showing the space used for the business, as well as the space used for the residence. The residence must include at least one bedroom, at least one bathroom, and at least one kitchen, all of which must meet the requirements of the Building Code.

(g) Storage: Outside storage shall conform to the requirements of Section 7.10.

(h) Parking Limitation: No more than five (5) outdoor parking spaces may be located on the site on a Type 2 Home-Based Business. Excessive and frequent parking outside of the approved parking spaces shall be considered a violation of this Ordinance.

(i) Signage: One (1) freestanding sign of up to six (6) square feet in area, shall be permitted on the premises of an approved Type 2 Home-Based Business. No wall signage shall be permitted.

(j) Licensure and Regulations: All professionals working in a Home-Based Business shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with this Ordinance, the Special Use permit shall not be approved.

Section 6.05 Keeping of Animals

(A) **Pets.** Animals of any species that meet the definition of "pet" under the definition of "animal" may be kept on any lot. Pets must remain in the care of a human or housed in a safe and secure location at all times and must be leashed when not on private property. Horse stables and kennels of all types must meet the standards below.

(B) **Domestic Livestock.**

(1) Except in the A district, no person shall keep domestic livestock, as defined under the definition of "Animals", without first securing a permit from the Township. The permit shall be issued by the Zoning Administrator. No permit shall be issued by the Zoning Administrator without the written authorization from an owner of the property (if different from the applicant) consenting to the application on a form provided. Such permit may be revoked by the Zoning Administrator if it is determined that any provision of this section is violated. Once authorization is obtained it shall continue for as long as the applicant is in possession or control of the property. If a violation occurs, the permit holder shall be noticed of such violation and have the right to a hearing by the Planning Commission before the permit may be revoked. Establishment of an Accessory Use and/or accessory building under this section shall not confer a vested right to keep domestic livestock on the site. Further, a permit granted under this section is personal to the applicant occupying the dwelling and is not transferable. All licensing required by the State of Michigan and Clinton County, as well as all other statutes, ordinances and codes, shall be satisfied.

(2) Structures for the keeping of domestic livestock mammals shall be set back at least sixty (60) feet from all lot lines. Structures for the keeping of domestic livestock birds shall be set back at least ten (10) feet from all lot lines. All structures must be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties.

(3) Consistent with Article 20, no lot shall contain more than 10 animals that are considered to be domestic livestock. Any livestock animal on a lot with more than 10 animals shall be considered commercial livestock and be subject to Subsection C below.

(4) The following limits shall apply to domestic livestock:

(a) Cattle: No more than one per acre. In calculating the permitted number of cattle, the number of acres shall be rounded down to the nearest whole number.

(b) Pigs, Sheep, Goats, and all other fur-bearing domestic livestock not listed in this Ordinance: No more than one per half-acre, in any combination. In calculating the permitted number of animals, the number of acres shall be rounded down to the nearest half acre.

(c) Bees: Domesticated honey-producing bees shall be permitted as Domestic Livestock in all Zoning Districts, provided that all requirements of the applicable Generally Accepted Agricultural and Management Practices ("GAAMPs") are satisfied.

(d) Poultry and Other Domestic Livestock Birds: No more than one per tenth of an acre, in any combination. In calculating the permitted number of birds, the number of acres shall be rounded down to the nearest tenth of an acre. Further, the following standards shall apply to poultry and other birds:

(i) Roosters shall be prohibited. Other male birds may be permitted.

(ii) Birds shall be kept only in the rear yard secured within a coop and attached pen during non-daylight hours. During daylight hours, birds may be allowed to roam outside of the coop and pen, if supervised, and only within an area completely enclosed by a fence with a minimum height of four feet.

(iii) The coop and pen shall be designed to provide safe and healthy living conditions for birds while minimizing adverse impacts on other residents and the neighborhood. The coop and pen shall meet the following additional requirements:

1) The coop and pen shall be a maximum of six feet in height and shall not exceed a combined total of 80 square feet.

2) The coop and pen may be movable only if the dimensional/setback restrictions contained in this section are satisfied.

(iv) All feed and other items associated with the keeping of birds shall be protected so as to prevent rats, mice or other rodents from gaining access or coming into contact with them.

(v) The outdoor slaughter of poultry and other birds is prohibited.

(C) **Commercial Livestock.** The keeping of commercial livestock, as defined under the definition of "Animals", shall be permitted in the A and RE districts only.

(1) All commercial livestock operations must comply with all applicable State regulations, including applicable General Accepted Agricultural and Management Practices (GAAMP).

(2) All structures for the keeping of domestic livestock shall be set back at least sixty (60) feet from all lot lines and be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties.

(3) All manure shall be stored at least one hundred (100) feet from any property line and shall be removed from the premises at least once per week.

(4) An accessory building used to house domestic livestock shall not be located nearer than sixty (60) feet to any property line and not nearer than one hundred (100) feet to any dwelling.

(5) Concentrated Animal Feeding Operations (CAFOs) shall require Special Use Approval and shall be subject to the requirements of Section 5.12.

(D) **Wild and Exotic Animals.** Wild and exotic animals may only be kept on a premises owned or leased by an Animal Rehabilitator, as defined and licensed by the State of Michigan. The Animal Rehabilitator must comply with all State requirements and must keep their licensure current in order to be permitted to house the animal in the Township.

(E) **Kennels.** The following regulations shall apply to Kennels which are defined as lots where more than three (3) dogs six (6) months or older are kept:

(1) Rescue/Foster/Personal Kennel . Rescue/Foster/Personal Kennels house only animals owned or fostered by the occupant of the dwelling unit located on the same parcel shall be permitted subject to the following:

(a) Lot Size. The lot on which any such kennel is located shall be a minimum of two (2) acres in size.

(b) Number of Animals. No more than a combined total of six (6) dogs over the age of six (6) months shall be housed in a Rescue/Foster/Personal Kennel. Any lot with more than six (6) dogs shall be considered a Commercial Kennel and shall be subject to Subsection 2 below, as well as required to obtain a Special Use Permit in the districts noted in Section 3.01.

(c) Breeding. Breeding of animals shall be restricted to no more than two (2) litters per year.

(d) Setbacks. Buildings in which animals are kept, animal runs, and exercise areas shall not be located in any required front, side, or rear yard setback area, and shall be located at least one hundred (100) feet from any dwellings or buildings used by the public on adjacent property.

(2) Commercial Boarding and/or Breeding Kennels. Commercial (boarding/breeding) kennels shall be permitted subject to the following:

(a) Operation. Any such kennel shall be subject to all permit and operational requirements established by County and State regulatory agencies.

(b) Lot Size. The lot on which any such kennel is located shall be minimum of two (2) acres in size. If more than six (6) animals are housed in the kennel, an additional one (1) acre shall be required for every additional ten (10) animals.

(c) Maximum Number of Animals. No boarding or breeding kennel shall house more than thirty (30) dogs.

(d) Setbacks.

(i) The minimum setback for fully-enclosed kennel buildings shall be fifty (50) feet from any property line and 100 feet from any residential structure on another parcel.

(ii) The minimum setback for outdoor runs, animal yards, or any other portion of the kennel where animals will be allowed outdoors shall be 150 feet from any property line and 200 feet from any residential structure on another parcel.

(iii) Animals shall not be kept in outdoor runs between the hours of 6:00 p.m. and 8:00 a.m.

(e) Sound Control. All animals shall be contained in a building which is fully soundproofed, using insulation, soundboards, and acoustic tile.

(f) Odor Control. Non-absorbent surfaces (such as sealed concrete or ceramic tile) shall be used throughout the kennel. Dog waste shall be power flushed or otherwise removed on a regular schedule, but no less than four (4) times daily.

(F) **Stables.** The following regulations shall apply to horse stables:

(1) A building or structure in which animals are kept shall be located a minimum of one hundred (100) feet from all property lines, and shall be located a minimum of one hundred and fifty (150) feet from any dwelling unit other than the dwelling unit on the same property.

(2) The maximum number of animals which may be kept shall be three (3).

(3) The minimum lot area on which one (1) to three (3) animals may be kept shall be three (3) acres.

(4) All manure shall be stored at least one hundred (100) feet from any property line and shall be removed from the premises at least once per week.

(G) **Standard of Care.** Any property observed by the Zoning Administrator to be in violation of the Humane Society of the United States most recently adopted *Standards of Care* guidelines shall be referred, by the Zoning Administrator, to Clinton County Animal Control for enforcement of relevant animal welfare laws.

Section 6.06 Lighting

(A) **Intent.** The regulations in this section are intended to require sufficient lighting for parking areas, walkways, driveways, building entrances, loading areas, and common areas to ensure the security of property and safety of persons. These regulations are also intended to prevent the adverse effects of inappropriate lighting, including glare, light trespass onto adjoining properties, light pollution and sky glow, and energy waste. These regulations are also intended to permit and encourage the use of lighting that promotes energy efficiency and conservation in the Township.

(B) **Applicability**

(1) Any person applying for site plan approval, or for a commercial building, electrical permit, or sign permit to install outdoor lighting fixtures shall submit evidence that the proposed work will comply with this Section. Any non-residential and/or non-agricultural property that has been vacant and/or unused for more than six months must be brought into compliance with this Section prior to being issued a Certificate of Occupancy for a new use.

(2) The site plan or building, electrical, or sign permit application shall identify the location, type, height, method of mounting, and intensity of proposed lighting. The manufacturer's catalog specifications and documents, and a photometric plan shall be submitted. The information submitted shall be sufficiently complete to demonstrate compliance with Ordinance requirements.

(3) Single-family homes and lots dedicated to agriculture shall be exempt from this section.

(C) **General Requirements.**

(1) Provide compliance with the most recent edition of the "Illuminating Engineering Society of North America (IESNA) Model Lighting Ordinance (MLO)," shall be required for parking areas, walkways, driveways (except private residential driveways), building entrances, loading areas, and public common areas to ensure the security of property and safety of persons.

(2) All outdoor lighting shall be downward facing at a 90-degree angle and shielded so as to conceal the source of the light. Uplighting of landscaping shall be exempt from this requirement but must be shielded so it does not spill over onto adjacent lots.

(3) Light trespass on a commercial property shall not exceed 0.5 foot-candles at the property line, measured at grade.

(4) Light trespass on a residential property shall not exceed 0.25 foot-candles at the property line, measured at grade.

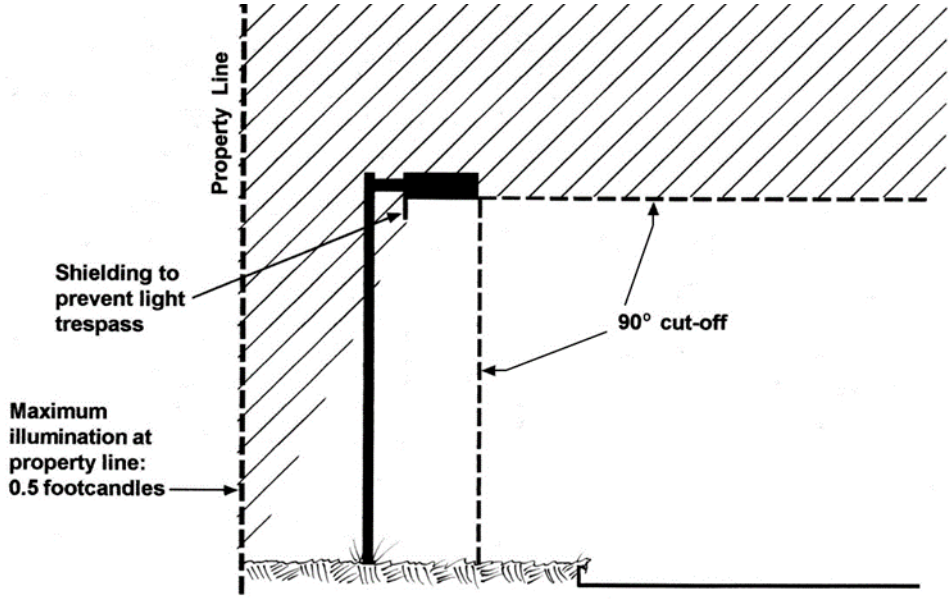


Figure 2.3: Lighting Fixture Orientation and Shielding

(5) To prevent sky glow, lighting shall be shielded or designed to prevent light to project above a 90-degree horizontal plane (see illustration).

(6) Gas station canopies and similar structures shall have fully recessed lighting fixtures and the total initial lamp output under the canopies shall be limited to 32 lumens per square foot of canopy.

(D) **Height.** Lighting fixtures shall not exceed a height of twenty-five feet.

Prohibited Lighting.

(1) Recreational Facility Lighting. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. except to conclude a permitted recreational or sporting event or other activity in progress prior to 11:00 p.m.

(2) Outdoor Building and Landscaping Lighting. Unshielded illumination of the exterior of a building or landscaping is prohibited, except in Agricultural Districts.

(3) Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.

(4) Searchlights. The operation of searchlights for advertising purposes is prohibited between 10:00 p.m. and sunrise the following morning.

(E) **Exceptions.**

(1) Temporary Lighting. Lighting for permitted temporary circus, fair, carnival, or civic uses is exempt from the provisions of this Section. Holiday lighting is also exempt from this Section but may only be in place for up to 90 days per year.

(2) Construction and Emergency Lighting. Lighting necessary for construction or emergencies is exempt from the provisions of this article provided that said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency.

(3) Roadways. Lighting for public roadways shall be exempt from this section.

(4) Legally Required or Emergency Lighting. Lighting that is required by the County, State, or Federal government shall be exempt from this section, as shall emergency lighting, for the duration of the emergency, as determined by responding emergency personnel. Airports shall also be exempt from this Section.

(5) Lighting of U.S. Flags. Lighting of the U.S. flag, as recommended by the Flag Code, is exempt from this Section.

(6) Special Conditions. Additional exceptions may be permitted, subject to site plan review, and upon finding that unique or special conditions on the site warrant the exception.

Section 6.07 Streets, Roads, and Other Means of Access

(A) **Intent.** Unimpeded, safe access to parcels of land throughout the Township is necessary to provide adequate police and fire protection, ambulance services, and other public services, and to otherwise promote and protect the health, safety, and welfare of the public. The standards and specifications set forth herein are determined to be the minimum standards and specifications necessary to meet the above stated intentions.

(B) **Public Access Required / Minimum Frontage.** The front lot line of all lots shall abut onto a publicly dedicated road right-of-way or approved private road. The required frontage on an approved road right-of-way shall be equal to or greater than the minimum lot width for the district in which the lot is located, as specified in Section 4.01; except that the minimum frontage of lots that abut the turnaround at the end of a cul-de-sac shall be equal to or greater than 50% of the minimum lot width. On lots located on a curve, frontage shall be measured along a straight line between the two points where the side lot liness intersect the curved right-of-way line. Frontage on a "T" turnaround shall not be counted toward the minimum road frontage requirements. Any parcel or lot existing at the time of the enactment of this Ordinance may be excluded from these requirements as long as the parcel or lot has access provided by an existing lane, road, easement, or similar access route. Such parcel or lot shall not be considered non-conforming by reason of road frontage.

(C) **Access on Through Lots.** On through lots, a driveway must be constructed to at least one of the abutting roads.

(D) **Road and Driveway Standards.** Public roads shall comply with the requirements of Clinton County Road Commission or the Michigan Department of Transportation, as applicable.

Section 6.08 Temporary Structures and Uses

(A) **General Requirements.** Temporary Buildings and structures shall comply with the following requirements:

(1) Temporary Structures Used for Residential Purposes. A building or structure may be approved for temporary residential use only while damage to the principal dwelling due to fire, flood, ice, wind, or other natural disaster is being repaired. Any such temporary building shall not be used as a residence without prior review and approval by the Police, Fire, and Zoning Administrators.

(2) Temporary Structures Used for Nonresidential Purposes. Temporary buildings for nonresidential use, including semi- trucks/trailers and concrete batch plants, shall be permitted only when the intended use is by a contractor or builder in conjunction with a construction project, and only after review and approval by the Zoning Administrator. Such temporary structures shall be removed immediately upon completion of the construction project and prior to a request for a Certificate of Occupancy for the project.

(3) Permits. Permits for the utilization of temporary structures shall be issued by the Zoning Administrator. The permit shall specify a date for the removal of the temporary structure, and the Zoning Administrator may require posting of a bond to insure removal. A Certificate of Occupancy shall be required for such structures.

(B) **Roadside Farm Stands and Farmer's Markets.** The following regulations shall apply to all Roadside Stands and Farmer's Markets, as defined in Section 17.01:

(1) Roadside Farm Stands.

(a) Site Maintenance. Adequate provisions shall be made for waste collection and removal. Plant and vegetable waste shall be removed daily so that it does not rot or cause odors. Litter shall be picked up and disposed of daily.

(b) Parking. Off-street parking may be provided in the required front yard setback area. Parking shall conform to the regulations in Article 9, except that hard surfacing shall not be required.

(c) Product. The Roadside Farm Stand shall be solely for the purpose of selling agricultural products cultivated on the property where the Roadside Farm Stand is located.

(2) Farmer's Markets.

(a) Structures. Although considered temporary outdoor sales, farmer's markets may be the principal use of a lot and may have either permanent or temporary structures (or both). Unless exempt, structures shall be subject to inspection under the Single State Construction Code Act and Property Maintenance Code.

(b) Trash Containers. A sufficient number of trash containers shall be placed on the premises for public use.

(c) Parking. Off-street parking shall be provided, which may be located in the front yard. Off-street parking may be located on a grass or gravel area for seasonal uses. Off-street parking shall be provided at the following rates: five (5) spaces, plus 1 (one) space per 200 sq. ft. of interior retail floor area, plus one (1) space per 1,000 square feet for outdoor activities. Parking shall comply with the dimensional and barrier-free parking requirements in Article 9.

(d) Exterior Lighting. Parking lot and pedestrian route lighting shall be required for any farmer's market that operates after dusk or before dawn, subject to Section 6.06. Adequate lighting shall be provided to assure the safety of pedestrians and drivers.

Section 6.09 Trash Removal and Collection

The regulations in this section are intended to require sufficient screening of outdoor trash receptacles

and dumpsters, minimize adverse effects of trash storage, recycling, and disposal activities on adjacent properties and public rights-of-way, and encourage the development and use of appropriate screening structures and measures that complement and enhance the environment and character of the area and the Township as a whole. In addition, these standards provide a reasonable period for those existing dumpsters that do not comply with those standards to be brought into compliance.

(A) **Applicability.** The following shall apply only to trash containers with over 100 gallons of capacity, on a lot with a commercial, industrial, or multi-family housing use.

(B) **Location.**

(1) Dumpsters shall be permitted in the side or rear yard provided that no Dumpster shall extend closer to the front of the lot (both street frontages shall be considered "front" on corner lots) than any portion of the principal structure.

(2) Dumpsters shall comply with the setback requirements for the district in which they are located.

(3) With the permission of the Township Fire Chief, Dumpsters may be located against the building. Otherwise, a minimum ten (10) feet of separation shall be provided.

(4) The Dumpster shall not encroach on a required parking area and shall be clearly accessible to servicing vehicles.

(5) Trash Receptacles shall be permitted to be located in the front yard along the road side on collection days. They may be placed at the side of the road.

(C) **Concrete Pad.** Dumpsters shall be placed on a concrete pad. The concrete pad should extend a minimum of ten (10) feet in front of the Dumpster enclosure.

(D) **Screening.** Dumpsters shall be screened from view from adjoining properties and public streets and thoroughfares.

(1) Dumpsters shall be screened on three sides with a permanent building, masonry wall, or wood fencing, not less than six (6) feet in height.

(2) The fourth side of the Dumpster screening shall be equipped with an opaque lockable gate that is constructed of wood or wood composite material. The gate shall be the same height as the enclosure around the other three (3) sides. When not in use, enclosure gates shall be closed and locked.

(E) **Bollards.** Bollards (concrete filled metal posts) or similar protective devices shall be required at the opening to prevent damage to the screening wall or fence.

(F) **Temporary Dumpsters.** Temporary Dumpsters on site for construction, demolition, or similar temporary purposes may be permitted for the duration of the project provided that consistent progress is made on the project and the dumpster is necessary throughout.

Section 6.10 Outdoor Storage

In all zoning districts, objects, substances, materials, or equipment which are not contained within a completely enclosed building shall be enclosed by an opaque fence not less than 6 feet in height. Above-ground storage facilities for bulk oil, gasoline or chemicals shall only be permitted where described in this Ordinance, and shall be constructed in conformity with regulations of the State Fire Marshall, shall be entirely enclosed within a substantial fence not less than 6 feet in height.

Section 6.11 Outdoor Seating

(A) Outdoor seating for restaurants, bars, coffee shops, ice cream shops, and other businesses in commercial zones shall meet the following requirements.

(1) Businesses proposing outdoor seating shall submit a site plan showing the layout of the outdoor seating area for a site plan review by the Planning Commission.

(2) The hours of operation for the outdoor seating shall be included on the site plan and are subject to Township approval.

(3) Outdoor seating shall be included in the calculation of required parking for the principal use of the site, and any additional required parking spaces triggered by the addition of outdoor seating must be constructed before the outdoor seating can be used.

(4) Outdoor seating shall be subject to review and approval by the Fire Department and all relevant County or State approvals.

Section 6.12 Ponds

(A) Creation of pond with a surface area of at least one thousand (1,000) square feet and less than 2-acres is subject to the following regulations:

(1) A pond is an allowable site improvement in all zoning districts.

(2) No person shall commence the excavation, dredging, or construction of a dam, which is designed, intended or results in the creation or enlargement of a pond without first making application for and receiving a zoning permit approving the specific plans for a pond.

(3) Plans for ponds shall indicate the general size, depth, and proposed finished grade of the land both above and below water level, any proposed fencing location and specifications. In addition, the applicant shall indicate sources of water being used to supply the pond (such as stream impoundment, surface water runoff, springs, and wells).

(4) No pond shall be closer than twenty (20) feet from any property line or dwelling units. Setbacks for septic tanks, drainage fields and domestic water wells are established by the Mid-Michigan District Health Department (MMDHD) but shall be no less than 20'. In the event that a pond is being constructed for mutual benefit and shared enjoyment of two properties and the pond is situated on both sides of the property line, application must be made by both property owners and the pond area must be established within an easement allowing full use by each property owner. The Zoning Administrator may consider the joint application and properties thereof as a zoning lot for the purposes of reviewing and issuing the permit.

(5) All excavated soil material must be used on the same parcel, or zoning lot as the pond. No materials may be sold for commercial purposes or hauled off-site. Excavated materials used for grading around the pond shall not be placed closer than twelve (12) feet to the edge of the excavation and must be graded into existing contouring features of the property and not converted into berms.

(6) All ponds shall be completed one hundred eighty (180) days following issuance of the zoning permit or such permit shall be declared null and void.

(7) Any creation of pond cannot hinder or restrict flow of natural water drainage that causes draining issues for other neighboring or nearby parcels. Or, disrupt draining lines that back-up water on neighboring or nearby parcels.

(8) Applications must comply with the State of Michigan regulations if applicable.

(B) Ponds in excess of two (2) acres shall require site plan review by the Planning Commission, and shall be subject to the standards of Section A.

(C) Exceptions to the Site Plan requirement for Ponds.

(1) In the event that a pond is part of the approval of a site condominium, plat, quarry, commercial, office, industrial site plan or special land use approval for purposes of providing drainage, retention or detention, the pond shall be reviewed and approved under the standards of this section as part of the other approval, but shall not require any separate approval.

(2) In addition, any project under the Clinton County Drain Commissioner (CCDC) resulting in a pond is also exempt from this Section and shall not require Township approval.

Article 7 Nonconformities

Section 7.01 Intent

(A) Nonconformities are uses, structures, buildings, or lots which do not conform to one or more provisions or requirements of this Ordinance or a subsequent amendment, but which were lawfully established prior to the time of adoption of the Ordinance or amendment. Such nonconformities are not compatible with the current or intended use of land in the district in which they are located. Therefore, it is the intent of this Ordinance to permit such nonconformities to continue under certain conditions, but to discourage their expansion, enlargement, or extension. Accordingly, the purpose of this section is to establish regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of nonconformities, and to specify the circumstances and conditions under which nonconformities shall be permitted to continue.

(B) The following table summarizes the nonconforming regulations contained in this Article:

Summary of Nonconformity Regulations	
Issue	**Requirements**
Period of non-use before nonconformity must cease*	*Nonconforming use of open land:* 180 days *Nonconforming use of structure or* building*:* 12 months
Establishment of new conforming use	Nonconforming use must cease
Change in ownership	No effect on nonconformity
Nonconforming single-family use	May be enlarged, subject to conditions (see Section 7.04.A.2)
Substitution of one nonconformity for another	Permitted with ZBA Approval (see Section 7.02.A.6)
Nonconforming contiguous lots under same ownership	See Section 7.03.A.3
Expansion of nonconforming use within building	See Section 7.04.A.3
Expansion of nonconforming use beyond existing building	Not permitted
Enlargement of nonconforming structure	See Section 7.04.A.2
Maintenance; structural repairs	Generally permitted (see Section 7.04.A.2.a)
Renovation; modernization	Maximum value: 50% of assessed value
Rebuilding after catastrophe	Permitted if damage is less than 75% of pre-catastrophe fair market value. The Township may require the property owner the provide of an independent appraisal to determine the fair market value.

* Non-use shall be defined as the disconnection of essential public utilities including electricity, water, or heating fuel, OR the substantial decrease in the use of such utilities to the point where they are no longer consistent with the use in question.

Section 7.02 General Requirements

(A) The following regulations shall apply to all nonconforming uses, structures, and lots:

(1) Continuation of Nonconforming Uses and Structures. Any lawful nonconforming use existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered to be in violation of this Ordinance, provided that (unless otherwise noted in this Article) the use shall not be enlarged or extended to occupy a greater area of land, nor moved in whole or in part to another portion of the lot.

Any lawful building or structure existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered in violation of this Ordinance, provided that (unless otherwise noted in this Article) the building or structure involved shall not be structurally altered, enlarged, or moved unless such modifications conform to the provisions of this Ordinance for the district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

(2) Purchase or Condemnation. In order to accomplish the elimination of nonconforming uses and structures which constitute a nuisance or are detrimental to the public health, safety and welfare, Eagle Township may acquire, by purchase, condemnation or otherwise, private property for the purpose of removal of nonconforming uses pursuant to Section 208(3) of Public Act 110 of 2006, as amended.

(3) Establishment of a Conforming Use or Structure. In the event that a nonconforming principal use or structure is superseded by a conforming principal use or structure on a site, the nonconforming use or structure shall be immediately and permanently removed.

(4) Change of Tenancy or Ownership. In the event there is a change in tenancy, ownership, or management, an existing nonconforming use or structure shall be allowed to continue provided there is no change in the nature or character of such nonconformity.

(5) Unlawful Nonconformities. No building, structure, or use shall be permitted to continue in existence if it was unlawful at the time it was established.

(6) Substitution. A nonconforming use may be changed to another nonconforming use upon approval of the Zoning Board of Appeals provided that no structural alterations are required to accommodate the new nonconforming use, and that the proposed use is equally or more appropriate in the district than the existing nonconformity. In permitting such a change, the Zoning Board of Appeals may require conditions to accomplish the purposes of this Ordinance.

(7) Change of Location. Should a nonconforming structure be moved to another parcel or to another location on the same parcel for any reason whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 7.03 Nonconforming Lots of Record

(A) Nonconforming lots of record are those lots of record, as defined in Article 17, existing and lawful prior to the effective date of this Ordinance or amendments thereto, which could not be created lawfully thereafter. The following regulations shall apply to any nonconforming lot of record or nonconforming lot described in a deed or land contract executed and delivered prior to the effective date of this Ordinance or amendment thereto:

(1) Use of Nonconforming Lots. Any nonconforming lot shall be used only for a use permitted in the district in which it is located.

(2) Area and Bulk Requirements. No new division of any parcel shall be made which creates a non-conforming lot with area or frontage less than the area or bulk requirements of this Ordinance, for the zoning district in which it is situated.

(3) Nonconforming Contiguous Lots under the Same Ownership. If a nonconforming lot of record abuts one or more nonconforming lots of record in the same ownership, such lots shall be legally consolidated to reduce or eliminate the non-conformity. No lot shall be used or sold in a manner which diminishes compliance with lot area or frontage requirements of this Ordinance, nor shall any division of a lot be made which creates a lot with area or frontage less than the requirements stated in this Ordinance. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by an existing home, unless such lots are at any time consolidated under a single tax identification number or unless one or more of the existing homes is removed.

(4) Boundary Adjustments for Legal Non-Conforming Lots. The boundary of a legal non-conforming lot may be adjusted, provided that:

(a) The area of the legal non-conforming lot is not reduced by more than 5%.

(b) The road frontage (width) of the lot is not reduced below the minimum lot width for the district in question. If the lot already has a non-conforming road frontage (width), then the road frontage (width) shall not be reduced.

(c) This provision shall only apply to boundary adjustments. This provision shall not apply to lot splits.

Section 7.04 Modification to Nonconforming Uses or Structures

(A) No nonconforming use or structure shall be enlarged, extended, or structurally altered, nor shall any nonconformity be changed to a different nonconformity which increases the intensity of use or nonconformity, except as permitted in this Section.

(1) Applicability. The following regulations shall apply to any nonconforming use or structure, including:

(a) Nonconforming uses of open land.

(b) Nonconforming use of buildings designed for conforming use.

(c) Nonconforming use of buildings specifically designed for the type of use that occupies them but not suitable for a conforming use.

(d) Buildings designed and used for a conforming use but not in conformance with area and bulk, parking, loading, or landscaping requirements.

(e) Nonconforming structures, such as fences and signs.

(2) Nonconforming Structures by Reason of Dimensional Inadequacies. Where a lawful structure exists on the effective date of this Ordinance or amendments thereto which could not be built under its terms by reason of restrictions on area, height, yards, location on the lot, or other dimensional requirements, such a structure may be continued so long as it remains otherwise lawful, provided:

(a) Repairs, maintenance and renovation necessary for health or safety reasons or to keep such a nonconforming structure in a sound condition may be made.

(b) A nonconforming structure may be enlarged, expanded or altered, so long as the nonconforming characteristic of the structure is not enlarged upon, extended or increased in its degree of nonconformance.

(c) Should such a nonconforming structure be relocated for any reason or for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located.

(d) Under no circumstances shall a non-conforming structure be rebuilt if the structure is determined to be located on more than one lot or parcel. The Township may require the owner/applicant to provide a current survey of the property. The survey shall be acceptable the Zoning Administrator and shall include all structures on the property.

(e) If such a nonconforming structure becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

(f) Any non-conforming structure that is voluntarily demolished or razed shall not be re-built unless in full compliance with the terms of this Ordinance.

(g) Such a nonconforming structure which is damaged or destroyed by wind, fire, explosion, a natural calamity may be altered, repaired or replaced and the nonconforming nature thereof continued, provided that:

(i) The repair, replacement or alteration is undertaken within two years following the damage,

(ii) There is no change in use, and

(iii) The extent of the nonconformance with the provisions of this Ordinance is not increased.

(iv) The site shall be secured by the owner within fourteen (14) days of the natural calamity, in order to safeguard the public health, safety, and welfare. The Zoning Administrator shall determine what permits and safeguards are required.

(3) Nonconforming Land or Structures by Reason of Use. Where a lawful use of land or a structure exists on the effective date of this Ordinance or amendments thereto which would not thereafter be permitted in the zoning district, such use may be continued so long as it remains otherwise lawful, provided:

(a) The nonconforming use of land or structure shall not be enlarged, extended or expanded in such a way as to increase the nonconforming nature of the use, such as the addition of dwelling units, additional manufacturing or selling area, or by the addition of facilities which would allow the establishment of other nonconforming uses.

(b) A nonconforming structure by reason of use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such structure at the effective date of adoption or amendment of this Ordinance.

(c) Normal repairs, maintenance and renovation necessary for health or safety reasons or to keep any structure in a sound condition may be made, but a nonconforming structure by reason of use shall not be structurally altered except in order to change its use to one permitted in the zoning district in which it is located.

(d) Any structure in which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the zoning district, and the nonconforming use may not thereafter be resumed.

(e) If a structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

(4) Enlargement, Extension, or Alteration.

(a) Increase in Nonconformity Prohibited. Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of any nonconformity. For example, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

(i) An increase in the total amount of space devoted to a nonconforming use, or

(ii) Greater nonconformity with respect to dimensional restrictions, such as setback requirements, height limitations, density requirements, or other requirements in the district in which the property is located.

(b) Permitted Extension. Any nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building. No nonconforming use of land shall be enlarged, increased, or extended to occupy a greater area of land, nor shall any such use be moved in whole or in part to any portion of the lot or parcel than was occupied on the effective date of this Ordinance or amendment thereto.

(c) Alterations that Decrease Nonconformity. Any nonconforming structure or any structure or portion thereof containing a nonconforming use, may be altered if such alteration serves to decrease the nonconforming nature of the structure or use.

(5) Repairs, Improvements, and Modernization.

(a) Required Repairs. Repairs or maintenance deemed necessary by the Zoning Administrator to keep a nonconforming building structurally safe and sound are permitted. However, if a non-conforming structure or a structure containing a nonconforming use becomes physically unsafe and/or unlawful due to lack of maintenance and repairs and is declared as such by the Zoning Administrator, it shall not thereafter be restored, repaired, or rebuilt except in full conformity with the regulations in the district in which it is located.

(b) Additional Permitted Improvements. Additional repairs, improvements, or modernization of nonconforming structures, beyond what is required to maintain the safety and soundness of the structure, shall be permitted provided such repairs or improvements do not exceed fifty percent (50%) of the assessed value of the structure during any period of twelve (12) consecutive months. The provisions in this paragraph shall apply to all structures except as otherwise provided in this Article for single-family residential uses and for reconstruction of structures damaged by fire or other catastrophe.

(6) Damage by Fire or Other Catastrophe.

(a) Any nonconforming structure that is damaged by fire, flood, or other catastrophe in excess of seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) shall not be rebuilt, repaired, or reconstructed except in complete conformity with the provisions of this Ordinance, or on the exact same footprint, with all other aspects brought into conformity with the Ordinance.

(b) Any nonconforming structure or structure housing a nonconforming use that is damaged by fire, flood, or other catastrophe by less than or equal to seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) may be restored to its pre-catastrophe status, provided that restoration is completed within a period of twenty-four (24) months from the date of such fire, flood, or other catastrophe.

(c) Residential developments that are non-conforming by virtue of being a higher density(i.e. more dwelling units per acre) than permitted in the zoning district may be rebuilt to 50% of their previous density, or to the maximum density permitted in the zoning district, whichever is greater, if damaged by fire, flood, or other catastrophe by more than seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor).

Article 8 Off-Street Parking and Loading Requirements

Section 8.01 Off-Street Parking Requirements

(A) **Schedule of Off-Street Parking:**

Use	Minimum Required Parking Spaces
Adult Day Care Home	1.2 per resident
Agritourism	(1)
Art Studio	1 per 500 square feet
Bank	1 per 300 square feet
Barber Shops/Beauty Shops	1 per 300 square feet
Battery Energy Storage Systems	None
Boarding Kennels (Commercial)	None
Breeding Kennels (Commercial)	None
Brewpub/Microbrewery/Distillery	1 per 250 square feet
Bus Station	(1)
Cemetery	None
Childcare Center (Non-Home-Based)	4 per classroom
Child Day Care Home, Family	2
Commercial Livestock	None
Commercial Lodging	
Bed and Breakfast	1.1 per bedroom
Boarding House	1.1 per bedroom
Boutique Hotel	1.2 per bedroom
Campground	1.1 per campsite
Resort (including Detached Unit Resorts)	1.1 per bedroom
Hotel/Motel	1.3 per bedroom
Single-family Rental Home	1.3 per bedroom
Crop Cultivation	None
Data Center	1 per 1,000 square feet
Domestic Livestock	None
Drive-Thru	None (except what is required for principal use)
Dwelling Units	
Single-family	2
Multiple Family (including Senior Housing)	1 per unit
Above First Floor in Mixed Use Buildings	1 per unit
Manufactured Housing Mobile Structure	2 per unit
Manufactured Housing Permanent Structure	2 per unit
Model Home	2
Accessory Dwelling Unit	1
State-Licensed Residential Facility (non-Daycare)	1 per bedroom
Essential Services	None
Farmer's Market	(1)
Funeral Home and Mortuary	1 per 500 square feet
Government and Public Building	(1)
Group Day Care Home	2
Home-Based Businesses	2
Hospitals	(1)
Institution of Higher Education	(1)
Manufacturing	1 per 1000 square feet
Medical or Dental Clinic	1 per 500 square feet
Mini-Warehouse or Portable Storage Unit	See Section 5.26.B.8
Rescue/Foster/Personal Kennel	None
Office	1 per 500 square feet
Open Air Business	(1)
Outdoor Event	(1)
Parking Lot with No Other Principal Use	None

Use	Minimum Required Parking Spaces
Pet Shop and Pet Grooming	1 per 300 square feet
Preserve/Conservation Area	None
Primary/Secondary School (Private)	3 per classroom
Recreation - Indoor	(1)
Recreation - Outdoor	(1)
Recycling Collection Station	(1)
Religious Institution	1 per 3 seats of capacity in the worship space
Restaurant/Bar	1 per 250 square feet
Retail Store	1 per 300 square feet
Roadside Farm Stands	5
Sexually Oriented Businesses	1 per 300 square feet
Shooting Range - Outdoor	1.2 per shooting bay
Solar Energy System – Small or Large	None
Stables (Horses)	None
Theater	1 per 3 seats in maximum capacity
Utility Structures and Substations	None
Vehicle Dealership	1 per 300 square feet of interior space
Vehicle Filling Stations (Gas Stations)	1 per 300 square feet of indoor retail space, plus 1 space per pump (located next to the pump)
Vehicle Repair	2 per repair bay
Vehicle Wash	See Section 5.47.B.7
Veterinary Clinics	1 per 500 square feet
Warehousing	1 per 1000 square feet
Wholesale	1 per 500 square feet
Wind Energy Conversion System – Small or Large	None
Wireless Telecommunications	None

(1) For these uses, the applicant shall submit a parking standard for approval by the Planning Commission, based on the specifics of the proposed use. If approved by the Planning Commission, the proposed standard shall be used to calculate the minimum number of spaces.

(2) Additional Off-Street Parking; Maximum Parking. Nothing in this Ordinance shall be deemed to prevent voluntary establishment of off-street parking facilities to serve an existing use of land or buildings, or to prevent provision of additional parking facilities beyond what is required by the Ordinance, provided all such parking is in conformance with the regulations herein. Except for single-family detached residential uses, any person proposing the provision of greater than 125% of the minimum required off-street parking as specified in this Article shall demonstrate to the Planning Commission sufficient justification for the additional parking.

(3) Uses Not Cited. For those uses not specifically mentioned, the requirements for off-street parking a similar use shall apply, as determined by the Planning Commission.

(4) Units of Measurement.

(a) Floor Area. For the purposes of determining required number of parking spaces, "floor area" shall be measured in accordance with the definitions in Article 19. All parking requirements that are based on square footage shall be based on gross floor area.

(b) Fractional Spaces. When calculations for determining the required number of parking spaces results in a fractional space, any fraction of less than one-half (1/2) may be disregarded, while a fraction of one-half (1/2) or more shall be counted as one space.

(c) Places of Assembly. For religious institutions, theaters, or similar places of assembly in which those in attendance occupy benches, pews, or similar seating, each twenty-four (24”) inches of such seating shall be counted as one seat.

(B) **Off-Street Parking Standards.** The following standards shall be used in determining the required number and characteristics of off-street parking spaces:

(1) Banked Parking. If the minimum number of required parking spaces exceeds the amount necessary to serve a proposed use, the Planning Commission may approve the construction of a lesser number of parking spaces, subject to the following:

(a) The banked parking shall be shown on the site plan and set aside as open space, including the provision of trees, shrubs s, and other landscaping.

(b) Banked parking shall be located in areas suitable for future parking that meet Ordinance requirements.

(c) The Township may require construction of the banked parking area upon finding that vehicles is regularly overflowing the designated parking area

(2) Barrier-Free Parking Requirements. Each parking lot that serves a building, except single-family dwelling units, shall have a number of level parking spaces, identified by an above-grade sign which indicates the spaces are reserved for physically handicapped persons. Barrier-free parking shall comply with the State of Michigan Barrier-Free Rules, Michigan Public Act No. 1 of 1966, as amended, the adopted Township Building Code, and the Federal Americans with Disabilities Act. Amendments or additional legislation at the State or Federal level may result in changes to this Section.

(a) Dimensions of Barrier-Free Parking Spaces. Each barrier-free parking space shall have no more than a nominal three percent (3%) grade and shall be not less than eight (8) feet in width and be adjacent to an access aisle not less than five (5) feet in width. Required van-accessible barrier-free spaces must be eight (8) feet in width and be adjacent to an access aisle not less than eight (8) feet in width.

(b) Minimum Required Number of Barrier-Free Parking Spaces. The number of barrier-free spaces required is as follows:

Total Number of Parking Spaces Provided in Lot	Minimum Number of Barrier-Free Spaces Required	Number of Van-Accessible Barrier-Free Spaces Required
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 and Over	8	1

(3) Storage and Repair Prohibited. The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles are prohibited in required off-street parking lots or areas. Emergency service required to start vehicles shall be permitted.

(4) Duration. Except when land is used as permitted storage space in direct connection with a legitimate business, a twenty-four (24) hour time limit for parking in non-residential off-street parking areas shall prevail provided that it shall be unlawful to permit the storage of wrecked, inoperable, or junked vehicles in any parking area in any district for any period of time. The Township may enact a program to exempt certain residents from this requirement in via a permit that would be affixed to their cars.

(C) **Scope of Off-Street Parking Requirements.** Compliance with the off-street parking regulations shall be required as follows:

(1) General Applicability. For all buildings and uses established after the effective date of this Ordinance, off-street parking shall be provided as required in this Article prior to issuance of a Certificate of Occupancy. However, where a building permit has been issued prior to the effective date of the Ordinance and construction has been diligently carried on, compliance with the parking requirements at the time of issuance of the building permit shall be required.

(2) Change in Use or Intensity. Whenever use of a building, structure, or lot is changed, parking facilities shall be provided as required by this Ordinance for the new use, regardless of any variance which may have been in effect prior to change of use. If the intensity of use of any building, structure, or lot is increased through the addition of dwelling units, increase in floor area, increase in seating capacity, or through other means, additional off-street parking shall be provided for such increase in intensity of use.

(D) **Layout and Construction.** Off-street parking facilities containing four (4) or more spaces shall be designed, constructed, and maintained in accordance with the following requirements:

(1) Review and Approval Requirements. Plans for the construction of any parking lot in conjunction with a new development shall be submitted for review and approval according to the normal site plan review procedures. Plans for expansion of an existing parking lot that is not associated with other new development shall be submitted to the Zoning Administrator for review and approval prior to the start of construction. Upon completion of construction, the parking lot must be inspected and approved by the Zoning Administrator before a Certificate of Occupancy can be issued for the parking lot and for the building or use the parking is intended to serve.

Plans shall be prepared at a scale of not less than fifty (50) feet equal to one (1) inch. Plans shall indicate existing and proposed grades, drainage, water mains and sewers, surfacing and base materials, and the proposed parking layout. The plans shall conform to the construction and design standards established by the Township.

In the event that required parking cannot be completed because of cold or inclement weather, a temporary Certificate of Occupancy may be issued by the Zoning Administrator provided the applicant first deposits a performance guarantee in accordance with Section 16.06.

(2) Dimensions.

(a) Off-street parking shall be designed in conformance with the following standards and diagram:

Parking Angle	**Parking Stall Dimensions**		**Drive Aisle Width**	**Total Width (wall-to-wall) of Drive Aisle and Parking**	
	Width	Depth to Wall		One Row of Stalls (***x***)	Two Rows of Stalls (***y***)
0° (parallel)	24.0 feet	8.0 feet	16.0 feet ***(one-way)*** 24.0 feet ***(two-way)***	24.0 feet ***(one-way)*** 32.0 feet ***(two-way***	32.0 feet ***(one-way)*** 40.0 feet ***(two-way***
Up to 45°	8.5 feet	16.6 feet	12.0 feet ***(one-way only)***	28.6 feet	45.2 feet
46° to 60°	8.5 feet	18.2 feet	16.0 feet ***(one-way only)***	34.2 feet	52.4 feet
61° to 75°	8.5 feet	18.5 feet	20.0 feet	38.5 feet	57.0 feet
76° to 90°	9.0 feet	18.5 feet	24.0 feet	42.5 feet	61.0 feet

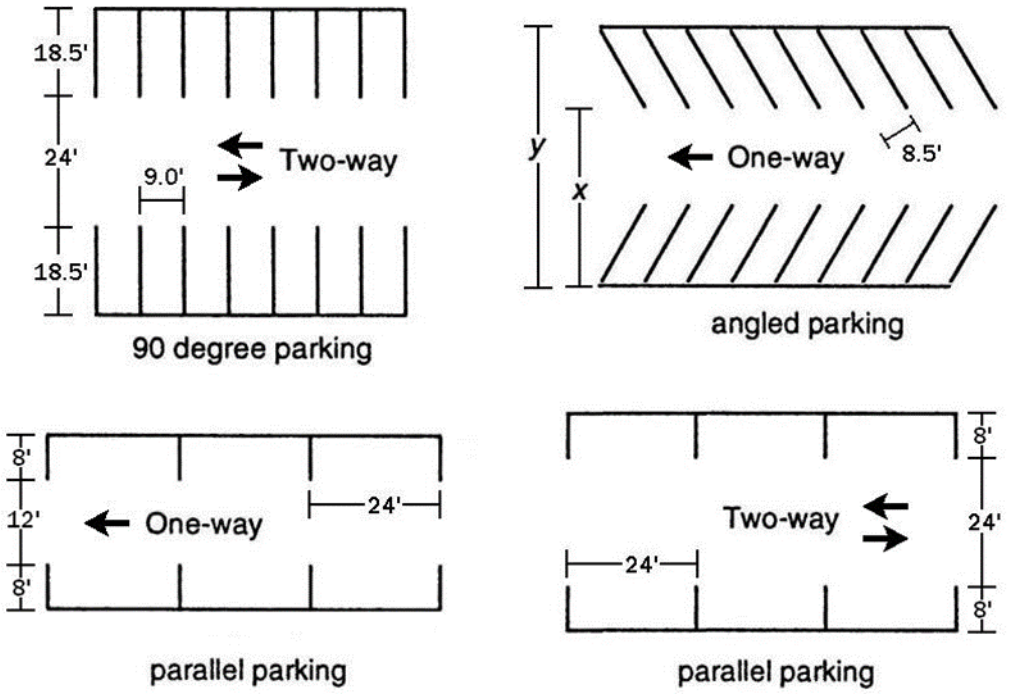


Figure 4.1: Off-Street Parking Layouts

(b) Driveways. Driveways providing access to residential, commercial or industrial uses shall comply with the standards in Section 6.07.

(3) Layout.

(a) Striping. All paved parking lots must be striped with conforming parking spaces matching the approved plan for the parking lot and in compliance with ADA requirements for barrier-free parking spaces. The striping must be maintained so as to be visible to drivers.

(b) Ingress and Egress. All spaces shall be provided with adequate access by means of clearly defined maneuvering lanes and driveways. Spaces backing directly onto a street shall be prohibited. Entrances and exits from off-street parking lots shall be located at least twenty- five (25) feet from the nearest point of any adjacent property zoned for single-family residential use.

(c) Parking Rows. Continuous rows of parking shall be limited to not more than twenty (20) contiguous spaces. Longer rows shall provide landscaped breaks (e.g., islands or bio swales) with shade trees.

(d) Consolidated Landscaping. Parking spaces and rows shall be organized to provide consolidated landscape areas and opportunities for on-site storm water management. The use of bio swales and/or rain gardens is encouraged.

(e) Pedestrian Circulation. The parking lot layout shall accommodate direct and continuous pedestrian circulation, clearly divided from vehicular areas. Pedestrian crosswalks shall be provided and integrated into the pedestrian circulation network.

(4) Surfacing and Drainage.

(a) All off-street parking areas, access lanes, driveways and other vehicle maneuvering areas shall be maintained with a smooth, dustless surface (including re-grading and watering down the unpaved surface as necessary), but need not be paved.

(b) Off-street parking areas, access lanes, and driveways shall be graded and drained so as to dispose of surface waters. Surface water shall not be permitted to drain onto adjoining property.

(5) Curbs, Wheel Stops. Wheel stops must be provided to prevent vehicles from extending over grass areas, setback lines, or lot lines.

(6) Maintenance. All parking areas shall be maintained free of dust, trash, and debris. Surfacing, curbing, lighting fixtures, signage, and related appurtenances shall be maintained in good condition.

(E) **Recreational Vehicle Parking.** Recreational vehicles, as defined in Section 17.01, including campers and other recreational equipment, may be parked or stored by the owner on residentially zoned property subject to the following requirements. The requirements in this sub-section apply to recreational vehicles that are parked or stored for a period of more than forty-eight (48) hours.

(1) Use as Living Quarters. At no time shall recreational vehicles, while parked or stored, be used for permanent living or housekeeping purposes.

(2) Connections to Utilities. Recreational vehicles parked or stored shall not be connected to water, gas, or sanitary sewer lines.

(3) Location. Recreational vehicles that are not parked or stored in a building may be parked or stored on a lot provided that the vehicles are located no closer to the front of the lot than any portion of the principal structure and comply with minimum front, side, and rear setback requirements.

(4) Condition. Parked or stored recreational vehicles must be kept in good repair. Vehicles capable of being moved from place to place under their own power must be maintained in good running condition. All such vehicles must be properly registered in the name of the resident of the dwelling unit.

(5) Storage of Manufactured Housings. The parking or storage of an unoccupied Manufactured Housing as defined in Section 17.01, being designed as a permanent structure for residential occupancy, is prohibited, except as may be permitted in the Manufactured Housing Park District.

Section 8.02 Loading Space Requirements

(A) **Scope of Loading Space Requirements.** Compliance with the loading space regulations set forth herein shall be required in order to avoid interference with the public use of streets, alleys, parking areas, driveways, sidewalks, and other public areas.

(1) General Applicability. On the same premises with every building, or part thereof, erected and occupied for manufacturing, storage, warehousing, display and sale of goods, including department stores, wholesale stores, markets, hotels, hospitals, mortuaries, laundries, dry cleaning establishments, and other uses involving the receipt or distribution of materials, merchandise, or vehicles, there shall be provided and maintained adequate space for loading and unloading as required in this Section.

(2) Change in Use or Intensity. Whenever use of a building, structure, or lot is changed, loading space shall be provided as required by this Ordinance for the new use, regardless of any variance which may have been in effect prior to change of use.

(B) **General Requirements.**

(1) Location. Required loading space shall be located to the rear or side of the building being served. The loading space shall be clearly marked and defined with appropriate signage and striping. Loading/unloading operations shall not interfere with traffic on streets or off-street parking.

(2) Size. Unless otherwise specified, each required loading space shall be a minimum of ten (10) feet in width and fifty (50) feet in length, with a vertical clearance of fifteen (15) feet.

(3) Surfacing and Drainage. Loading areas shall be maintained with a smooth, dustless surface (including re-grading and watering down the unpaved surface as necessary), but need not be paved.

(4) Minimum Loading Space. The amount of required loading space shall be determined in accordance with the schedule that follows. The Planning Commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

Schedule of Loading Space Requirements

Gross Floor Area	Number of Loading Spaces
0 – 4,999 sq. ft.	*see note below*
5,000 – 19,000 sq. ft.	**1** space
20,000 sq. ft. and over	**1** space, plus **1** space for each 20,000 sq. ft. in excess of 20,000 sq. ft.

Establishments containing less than 5,000 square feet of gross floor area shall be provided with adequate off-street loading space that is accessible by motor vehicle, but which does not interfere with pedestrian or vehicular traffic. The size of any such loading space shall be based on the types of delivery vehicles typically utilized by the establishment, provided that in industrial districts sufficient land area must be available to provide a 10 ft. by 50 ft. space if the use of the property changes.

Article 9 Landscaping and Screening

Section 9.01 Intent, Applicability, and Requirements

(A) **Intent.** The intent of this section is to promote the public health, safety, and welfare and improve the visual appearance of the Township by requiring landscaping for each industrial and commercial development for which site plan, special land use, and plat review is required. It is further the intent of this section to achieve the following:

(1) Minimize noise, air, and visual pollution.

(2) Require buffering of residential areas from more intense land uses and public road rights-of-way.

(3) Prevent soil erosion and soil depletion and promote surface/sub-surface water retention.

(4) Encourage an appropriate mixture of plant material, such as evergreen and deciduous trees and shrubs, to protect against insect and disease infestation and produce aesthetic and cohesive design.

(5) Encourage the integration of existing woodlands and other natural features in landscape plans.

(6) Protect and preserve the appearance, character, and value of the community and its natural resources.

(B) **Application of Requirements.** These requirements shall apply to all uses for which site plan review and approval is required. No site plan or special land use approval shall be approved unless a landscape plan is provided which meets the requirements set forth herein. The Planning Commission, however, may waive or modify landscaping requirements set forth in the preceding provisions, where cause can be shown that no good purpose would be served, or such requirements are found to be injurious or an impediment to the intended use. Moreover, such waiver or modification would neither be injurious to the surrounding neighborhood, now or in the reasonably anticipated future, nor contrary to the spirit and purpose of this Ordinance or section. The Planning Commission may also defer landscaping until such time adjacent property is petitioned for development. Any waiver, modification or deferment shall be accompanied by a finding of fact.

(C) **Landscape Plan Requirements.** The landscape plan shall demonstrate that all requirements of this Section are met and shall include, but not necessarily be limited to, the following items:

(1) Location, spacing, size, root type, scientific name, and common name for each plant type proposed for use within the required landscape area.

(2) The landscape plan shall be presented in an appropriate scale (1:20, 30, 40, 50, 100, 200), which depending on the particular size of the proposed development is deemed adequate to convey important information.

(3) On parcels of more than one (1) acre, existing and proposed contours on-site and fifty (50) feet beyond the site at intervals not to exceed two (2) feet.

(4) Typical cross section including slope, height, and width of berms and type of ground cover, or height and type of construction of walls.

(5) Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.

(6) Details in either text or drawing form to ensure proper installation and establishment of proposed plant materials.

(7) Identification of existing trees and vegetative cover to be preserved.

(8) Identification of grass and other ground cover and method of planting.

(9) Identification of landscape maintenance program including statement that all diseased, damaged, or dead materials shall be replaced in accordance with the standards of this Ordinance at the next available planting season.

Section 9.02 Installation and Maintenance

(A) **Installation.** All landscaping shall be installed in a manner consistent with accepted planting procedures and the approved landscape development plan. This shall include quantity, size, type and location of plantings proposed. In general, major deviations as to quality, quantity, type, size and location of plant materials from the original approved landscape development plan shall require submission and approval in the same manner as provided in this Article for the original submission. Minor deviations are permitted by the Zoning Administrator upon determination that the deviation does not substantially impact the overall concept of the landscape plan and the proposed development. Such findings shall be in written form and accompany a revised landscape plan. The Zoning Administrator shall determine if any proposed change is a minor or major deviation.

(1) Material.

(a) All plant material shall:

(i) Be consistent with the size and description set forth in the current edition of "American Standard for Nursery Stock" sponsored by the American Association of Nurseryman, Inc., and approved by the American National Standards Institute, Inc.

(ii) Be typical of their species or variety, have normal habit of growth, well branched and densely foliated when in leaf.

(iii) Be of sound health and vigorous in appearance, free from disease, insect pests, eggs or larvae and shall have healthy, well developed root systems.

(iv) Be freshly dug and nursery grown.

(v) Be chosen according to soil, local climate conditions and environmental factors for the proposed development.

(b) Trees shall have straight trunks with leaders intact, undamaged and uncut.

(c) The following trees, because of various problems, shall not be considered as being of desirable quality, and therefore shall, in most cases, not be permitted. This does not preclude the use of existing trees if it can be shown that the removal of the tree would result in a substantial loss of screening and/or buffering of adjacent lands or public rights-of-way.

(i) Acer negundo - Box Elder

(ii) Ulmus varieties - Elm varieties

(iii) Aesculus varieties - Horse Chestnut

(iv) Populus varieties - Poplar Varieties

(v) Salix varieties - Willow Varieties

(vi) Catalpa varieties - Catalpa Varieties

(vii) Ailanthus altissima - Tree of Heaven

(viii) Fraxinus – Ash

(d) Lawn areas shall be planted in species of grass normally grown as permanent lawns in mid-Michigan. Grass may be placed as sod or seeded and mulched. Sod or seed shall be clean, free of weeds and noxious pests or disease

(e) Ground covers used in lieu of grass in whole or part shall be planted in such a manner as to present a finished appearance and reasonably complete after one complete growing season.

(f) Hedges, where provided, shall be planted and maintained so as to form a continuous unbroken, solid, visual screen within one full planting season. Where plants are to be used as a hedge for screening purposes, the maximum spacing will have to be determined by the plant proposed.

(g) Minimum sizes of plant material:

(i) **Deciduous shade trees.** Deciduous trees shall have a minimum caliper of two (2) inches diameter at breast height, at the time of planting.

(ii) **Deciduous small ornamental trees.** Small ornamental trees shall be a minimum of five (5) feet in height at time of planting.

(iii) **Evergreen trees.** Evergreen trees shall be a minimum of five (5) feet in height at time of planting.

(iv) **Shrubs.** Shrubs shall be a minimum of two (2) feet in height at the time of planting or two (2) feet in spread if plants are low spreading evergreens.

(v) **Vines**. Vines shall be a minimum of thirty (30) inches in length after one (1) growing season and may be used in conjunction with fences, screens, or walls to meet buffer requirements.

(h) Artificial plant material shall be prohibited.

(B) **Maintenance.** The owner of the property shall be responsible for all maintenance thereon. Landscaping shall be kept in neat and orderly manner, free from debris and refuse. All dead plant material shall be removed and replaced in accordance with the standards of this Ordinance at the next available planting season after it dies. The approved landscape development plan shall be considered a permanent record and integral part of the site plan or special land use. Unless otherwise approved in accordance with the aforementioned procedures, any revisions to, or removal of, plant materials will place the parcel in non- conformity with the originally approved landscape development plan and shall be viewed as a violation of this Ordinance and the agreed upon terms of the final approval of a site plan, special land use, site or plat. The developer, at the time of submission for approval of a site plan, special land use, site or plat shall demonstrate to the Planning Commission that adequate provisions have been made to supply water to all landscape areas.

Section 9.03 Site Design Requirements

(A) **Screening Between Land Uses.**

(1) Between a conflicting non-residential or conflicting residential land use and a residential use within the agricultural district there shall be provided and maintained an obscuring wall, screening fence or landscape barrier, at the discretion of the Planning Commission, having a minimum height of six (6) feet unless a greater or lesser height is specified elsewhere in this Ordinance.

(2) Required walls or fences shall be located at the lot line, except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting residential uses within the agricultural district. Landscape screen barriers shall be located ten (10) feet from the lot line, except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting residential uses within the agricultural district.

(3) Such walls, fence or landscape barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this Ordinance and except such openings as may be approved by the Planning Commission. Landscape barriers shall maintain a minimum opacity of at least eighty (80%) percent year round. Opacity shall be measured by observation of any two (2) square yard area of landscape screen between one (1) foot above established grade of the area to be concealed and the top or the highest point of the required screen. Opacity shall be achieved within three (3) years of the time of planting. The applicant shall agree, by notation on the final development plan, to install additional plantings after the expiration of three (3) years, in the event that the landscaping has not screened the view of areas as required.

(4) All walls and screen barriers herein required shall be constructed in one (1) of the following manners, however the Planning Commission will determine when, in its opinion, a wall, screening fence, planting strip, and/or landscape berm as distinct from a wall will be required.

(a) A solid wall shall be constructed of brick or poured concrete panels using a brick pattern form. The solid wall shall be located at the property line with a planting strip ten (10) feet wide abutting the base and on the interior side of the wall. The planting strip shall have a minimum of two (2) inches caliper deciduous shade trees planted thirty (30) feet on center.

(b) A screening mound or berm shall consist of the minimum specified height with a side slope no steeper than 3:1 (three (3) foot horizontal to one (1) foot vertical). The top of all berms shall have a level horizontal area of at least three (3) feet in width. The mound or berm shall be graded in a manner that will blend with existing topography, shall be graded smooth, and shall be appropriately placed as sod, seeded, and mulched, or planted. Included, as part of the mound or berm shall be deciduous shade trees, small deciduous ornamental trees and/or evergreen trees planted along the berm area.

(c) Evergreen screens shall consist of five (5) foot spruce, fir or pine trees planted no farther than (15) feet on center in two (2) staggered rows ten (10) feet apart. Arborvitae shall be planted no more than five (5) feet apart in staggered rows. Other evergreen plant material may be considered providing that it will provide, in the opinion of the Planning Commission, the same screening effect.

(5) The Planning Commission may waive or modify the foregoing requirements, where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood, now or in the reasonably anticipated future, nor contrary to the spirit and purpose of this section. The Planning Commission may also defer landscaping until such time adjacent property is petitioned for development.

(B) **Parking Lot Landscaping Requirements.**

(1) Separate landscape islands shall be required within parking lots of twenty four (24) spaces or greater. Landscape islands shall be curbed, or, at the discretion of the Planning Commission, be implemented in a manner whereas vehicle interference or damage to the landscape area is impeded. No more than sixteen (16) spaces in a row is permitted without a landscape island. Where size or configuration of parking lot would prevent maintenance or impede traffic flow as a result of requiring landscaped islands within parking lots, the Planning Commission may approve alternative landscaping along the parking lots perimeter.

(2) Required Landscaping at the Perimeter of Parking Lots. Separate landscape areas shall be provided at the perimeter of parking lots in accordance with the following requirements:

(a) Parking lots that are considered to be a conflicting land use as defined by this Section shall meet the screening requirements set forth in Section 9.03.A.

(b) Parking lots, which are visible from a public road, shall be screened from view with a landscaped berm varied in height from between two (2) and three (3) feet along the perimeter of those sides. The berm shall be planted with one (1) deciduous or evergreen tree and six (6) deciduous or evergreen shrubs for every thirty (30) feet, or major portion thereof. The Planning Commission, at its discretion, may approve alternative landscaping plantings, such as a solid hedge, or a solid wall in lieu of a landscape berm.

(c) Minimum of five (5) foot wide landscape strips (not including vehicle overhangs assumed to be two (2) feet) should be provided between paved parking surfaces and buildings, fences, and property lines wherever possible. Trees and shrubs shall be planted clear of the vehicle overhang area.

(C) **Greenbelts.** A greenbelt shall be provided, and is an area established within the required front yard setback of the zoning district in which it is located, and landscaped in accordance with the following requirements:

(1) The greenbelt shall be landscaped with a minimum of one (1) deciduous or one (1) evergreen tree, plus six (6) deciduous and/or evergreen shrubs for every thirty (30) lineal feet, or fraction thereof, of frontage abutting a public road right-of-way. Landscaping material is to meet minimum size requirements as outlined in Section 9.02.A.1.g.

(2) If ornamental deciduous trees are substituted for either non-ornamental deciduous trees or evergreen trees, they shall be provided at a minimum of one (1) tree for every twenty (20) lineal feet, or fraction thereof, of frontage abutting a public road right-of-way and meet minimum requirements set forth in Section 9.02.A.1.g.

(3) In addition to the required trees within the greenbelt, the remainder of the greenbelt shall be landscaped in grass, ground cover, shrubs and other natural landscape materials outside of approved parking areas.

(4) Access drives from public rights-of-way through required greenbelts shall be permitted, but such drives shall not be subtracted from the lineal dimension used to determine the minimum number of trees required.

(D) **Foundation Landscaping.** Foundation plantings shall be provided along the front or sides of any building, which faces a public road and/or is adjacent to a parking lot or other areas, which provides access to the building(s) by the general public. Foundation planting areas shall be integrated into the sidewalk system between the front and sides of the building, and the parking area and/or associated driveways adjacent to the building. Foundation planting areas shall contain at a minimum, one (1) ornamental tree and six (6) shrubs per thirty (30) lineal feet of applicable building frontage. Individual planting areas shall be a minimum of five (5) feet in width excluding an assumed two (2) feet for vehicle overhang where applicable.

(E) **General Site Landscaping.** In addition to any landscape greenbelt and/or parking lot landscaping required by this section, six (6) percent of the site area, excluding existing public rights-of-way, shall be landscaped. Such site area landscaping may include a combination of the preservation of existing tree cover, planting of new trees and plant material, grass areas and building foundation planting beds. Site area landscaping shall be provided to screen potentially objectionable site features such as, but not limited to, retention/detention ponds, transformer pads, air-conditioning units, and loading areas.

(F) **Screening of Trash Containers.**

(1) Outside trash disposal containers shall be screened on all sides with a masonry wall, and a durable gate at least as high as the container, but no less than six (6) feet in height. The wall and gate shall be constructed of material that is compatible with the architectural materials used in the site development.

(2) Containers shall be consolidated to minimize the number of collection sites, and located so as to reasonably accommodate the buildings they serve and situated so as not to cause nuisance or offense to occupants of buildings.

(3) Containers and enclosures shall be located away from public view insofar as possible. In no case shall the facility be located between the front building line and a public road.

(4) Concrete pads of appropriate size and construction shall be provided for containers or groups of containers having a capacity of six (6) thirty (30) gallon cans or more. Aprons shall be provided for loading of bins with a capacity of one and a half (1-1/2) cubic yards or more.

(5) For storage of recyclable materials, the enclosure area and pad size shall be increased to amply accommodate the extra materials and their containers.

Article 10 Walls and Fences

Section 10.01 Maximum Height

(A) **Measurement of Height.** The maximum height of a fence or wall shall be measured from grade level adjacent to the fence or wall, to the top of the fence or wall. Where the elevation is higher on one side than on the other, such as with a retaining wall, the grade level measurement shall be made on the side with the lower elevation.

(B) **R, RE, MH, or A Districts:**

(1) Front and Side Yards: The maximum height of a fence between the right-of-way line of any adjoining street and a line even with the exterior wall of the principal building farthest from that street shall be 4 feet. On a corner or through lot, this restriction shall apply from all adjoining streets to the farthest building wall from each street.

(2) Rear Yard: The maximum height of a fence in any other portion of a lot shall be 6 feet. The Planning Commission may approve fences up to 8 feet in height by Special Use Approval.

(C) **MR, C, and I Districts:** The maximum height of any fence shall be 12 feet, provided that the requirements of Section 10.02.F are met.

Section 10.02 Materials and Appearance

(A) **Wall, Fence, and Gate Materials.** Walls shall be constructed of masonry material that is architecturally compatible with the materials used on the facade of the principal structure on the site, such as face brick, decorative block, or poured concrete with simulated brick or stone patterns.

Fences shall consist of materials commonly used in conventional fence construction, such as wood, wood composite, vinyl, and metal. Fences that carry electric current shall be permitted only in the A district to contain animals. Barbed wire may be permitted in non-residential districts, provided that the barbed wire is at least six (6) feet above the ground. Wood fences shall be constructed of cedar or an appropriate grade of pressure-treated wood.

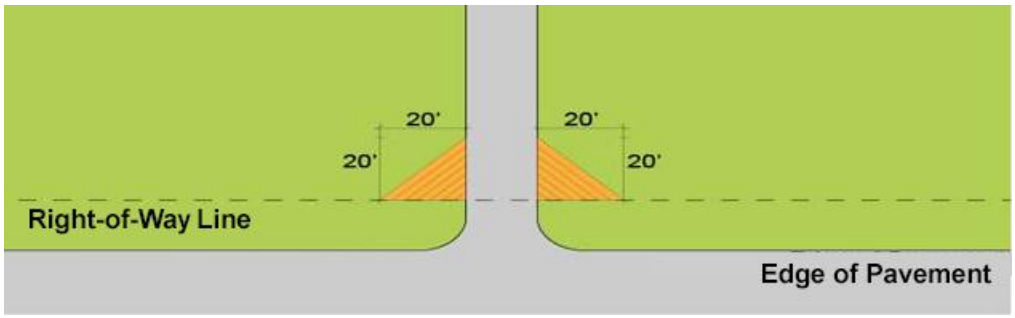
(B) **Finished Appearance.** If one side of a fence or wall has a more finished appearance than the other, then the side of the fence or wall with the more finished appearance shall face the exterior of the lot.

(C) **Obstruction to Use of Adjoining Property.** No fence or wall shall be erected where it would prevent or unreasonably obstruct the use of adjacent property, nor shall a fence or wall be erected where it would obstruct or prevent the continued safe use of an existing driveway or other means of access to adjacent property. In enforcing this provision, the Zoning Administrator may require a fence or wall to be lowered or set back a minimum distance from a driveway or property line.

(D) **Fence and Wall Maintenance.** Fences and walls shall be maintained in good condition. Rotten, crumbled or broken components shall be replaced, repaired, or removed. As required, surfaces shall be painted, stained, or similarly treated.

(E) **Signs on Fences.** No advertising signs or banners may be attached to any fence.

(F) **Clear Corner Vision.** All fences in all zoning districts must allow clear corner vision for all street intersections and driveway entrances. fences must be less than three feet tall within a triangle formed by two points, each 20 feet away from the intersection of the right-of-way line and the driveway, and the line connecting them.



Article 11 Signs

Section 11.01 Purpose

The intent of this Article is to encourage the effective use of signs as a means of communication in the Township, to maintain the aesthetic environment, and to promote the Township's ability to attract sources of economic development and growth. The placement and design of signs should further the land use planning objectives of the Township and minimize the possible adverse effect of signs on nearby public and private property. Signs should be compatible with neighborhood character and protect the value of surrounding properties. The regulations contained in this Article are based on a determination that an excessive amount and improper placement of signs results in reduced ability of motorists to see and clearly interpret signs and to safely and efficiently maneuver to their desired destination, as well as degradation of the aesthetic environment of the Township, which is important to economic prosperity and property values in the Township. These regulations also are based on a recognition that businesses and other land uses in the Township require an amount of signage sufficient to provide awareness to passing motorists of the location and nature of the business.

Section 11.02 Scope of Requirements

It shall be unlawful for any person, firm, or corporation to erect, construct, or alter any sign in the Township except in conformance with the provisions of this Article, subject to issuance of a permit, except as otherwise provided herein.

Section 11.03 Administration and Enforcement

(A) **Plans, Specifications, and Permits.**

(1) Permits. Any person or entity desiring to construct, reconstruct, replace, modify, or alter any permitted signage on the property shall first obtain a permit authorizing such signage. Written application for a sign permit, on forms provided for such by the Township, shall be submitted to the Zoning Administrator. A permit shall require payment of a fee, which shall be established by the Township Board. The Township Board may waive any fee at its discretion.

(2) Applications. Application for a sign permit shall be made upon forms provided by the Zoning Administrator. Where several signs are proposed for the same use, all such signs may be included in a single permit application. The following information shall be required:

(a) Name, address, and telephone number of the applicant.

(b) Location of the building, structure, or lot on which the sign is to be attached or Erected.

(c) Position of the sign in relation to nearby buildings, structures, property lines, and right-of-way lines.

(d) A permit fee, when applicable, in an amount established from time to time by Resolution of the Township Board.

(e) Plans of the sign drawn to scale, accurately depicting its dimensions, height and location in relation to surrounding lot lines and public rights-of-way.

(f) Identification of means of illumination of the sign, if any.

(g) Copies of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.

(h) Name and address of the person, firm, or corporation owning, erecting, and maintaining the sign.

(i) Information concerning required electrical connections.

(j) Insurance policy or bond, as required in this Article.

(k) Written consent of the record owner of the property upon which the sign is proposed to be located, or by other evidence that the applicant is entitled to erect and maintain the sign as proposed.

(l) Other information required by the Zoning Administrator to make the determination that the sign is in compliance with all applicable laws and regulations.

(3) Review of Application.

(a) Planning Commission Review. Sign permit applications submitted in conjunction with the proposed construction of a new building or addition to an existing building shall be reviewed by the Planning Commission as a part of the required site plan review. Proposed signs must be shown on the site plan.

(b) Zoning Administrator Review. The Zoning Administrator shall review the sign permit application for any sign proposed on a site or existing building where no other new construction is proposed.

(c) Approval of Application. An application for a sign permit shall be approved if the application, plans and other supporting information are in conformance with the provisions of this Article.

(d) Issuance of Permit. Following review and approval of a sign application by the Planning Commission or Zoning Administrator, as appropriate, the Zoning Administrator shall have the authority to issue a sign permit.

(4) Exceptions. A sign shall not be enlarged or relocated except in conformity with the provisions set forth herein for new signs, nor until a proper permit has been secured. However, a new permit shall not be required for ordinary servicing or repainting of an existing sign message, cleaning of a sign, or changing of the message on the sign where the sign is designed for such changes (such as, but not limited to, changeable copy on a marquee or monument sign). Furthermore, a permit shall not be required for certain exempt signs listed in Section 11.04.A.

(5) Removal Agreement or Bond. The Zoning Administrator may require a performance guarantee to guarantee the future removal of a sign. All signs erected by a business must be removed within 30 days if that business closes. Freestanding sign structures may remain in place but must be fitted with a blank face or a Real Estate Sign until put in use again by a new business.

(6) Removal of Unsafe or Unlawful Signs. Signs which are unlawful or deemed to be unsafe by the Zoning Administrator shall be removed or made safe in conformity with the provisions of this Article.

(B) **Nonconforming Signs.** All signs erected or constructed after the effective date of this Ordinance shall conform to the requirements set forth herein and any amendments hereof. Any sign or billboard erected or constructed after the effective date of this Ordinance that does not conform to the requirements of this Ordinance shall be deemed an unlawful structure.

A sign in existence on the effective date of this Ordinance which was constructed in conformity with the ordinances and other applicable laws in effect on the date of its construction, but which, by reason of its size, height, location, design, or construction, is not in conformance with the requirements of this Ordinance, shall be a lawful nonconforming sign, and shall conform to the following regulations.

(1) No Increase in Nonconformity. A lawful nonconforming sign may be continued and shall be permitted to remain in place, provided that no action is taken which increases the degree or extent of the nonconformity. However, any sign that has been destroyed by fire, storm, or other unintentional act, or any sign that has been intentionally demolished, shall be either replaced by a conforming sign, or not replaced at all.

(2) Repairs and Maintenance. Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than fifty percent (50%) of the sign's pre-catastrophe fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or repair or replacement of electrical wiring or electrical devices.

(3) Nonconforming Changeable Copy Signs. The message on a nonconforming changeable copy sign or nonconforming bulletin board sign may be changed provided that the change does not create any greater nonconformity.

(4) Substitution. No nonconforming sign shall be replaced with another nonconforming sign.

(5) Modifications to the Principal Building. Whenever the principal building on a site on which a nonconforming sign is located is modified to the extent that site plan review and approval is required, all nonconforming signs shall be removed.

(C) **Waiver Process.** The Planning Commission shall have the ability to waive or modify any of the standards in this chapter, provided that the following criteria are met. A waiver granted under this section shall apply for only the lifespan of the sign in question and shall not be transferable to any other sign or lot.

(1) The applicant provides all requested information and pays all applicable application and review fees, to be determined by the Township Board.

(2) The proposed sign does not endanger the public health, safety, and welfare by virtue of being distracting to drivers, obscuring vision, being unnecessarily bright, being designed or constructed poorly, or in any other way.

(3) The sign does not block the view of other nearby signs to the extent that it would harm the ability of neighboring businesses to operate.

(4) The sign will not be a nuisance to any residential uses.

(5) A sign designed to meet the standards of the Ordinance would not adequately serve the purpose desired by the applicant.

(D) **Removal by Zoning Administrator.** The Zoning Administrator may remove or cause to be removed any permanent sign that did not receive a permit prior to installation or any temporary sign that violates any provision of this Ordinance. The sign owner will be invoiced for removal costs at a rate to be determined by the Township Board.

Section 11.04 Exempt and Prohibited Signs

(A) **Exempt Signs.** A sign permit shall not be required for the following signs, provided all applicable requirements and standards as specified are met, and which shall be permitted subject to applicable provisions herein.

(1) All signs of two square feet or less in area.

(2) Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the vehicle shall be operable and licensed at all times.

(3) Public signs, including the authorized signs of a government body or public utility such as traffic control signs and devices, emergency and warning signs, legal notices, warnings of a hazard, and similar signs.

(4) Any sign required to be displayed by law or necessary for the public safety or civil defense.

(5) Public and private traffic control signs which conform to the requirements of the **Michigan Manual of Uniform Traffic Control Devices.**

(6) Interior signs.

(7) Historical plaques erected and maintained by non-profit or governmental organizations, memorial signs, tablets, building cornerstones and erection date stones.

(8) Signs intended to safely and efficiently direct vehicular or pedestrian traffic to parking areas, loading areas, or to certain buildings or locations on the site. Such signs shall not exceed four (4) square feet in area, or four (4) feet in height, and must be outside the existing or planned right-of-way line.

(9) One sign, not exceeding thirty-two (32) square feet, on a site with a building that is actively under construction.

(10) Integral decorative or architectural features of buildings or artwork, including murals, so long as such features or works do not contain an explicit message, words in any language, moving parts, or illumination. All murals must be painted with the permission of the property owner.

(11) All signage that complies with the provisions of this Ordinance and is in place for fewer than 90 days.

(B) **Prohibited Signs.** The following signs are prohibited in all districts.

(1) Signs where illumination can shine directly into the eyes of any occupant of any vehicle traveling upon a road, driveway, or parking area, or into any window of any residence, or where the illumination interferes with the visibility or readability of any traffic sign or device.

(2) Tube lights, whether LED, neon, or any other type of light, and string lights other than holiday decorations.

(3) Moving signs, including any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or any other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current or multi-vision signs, as defined herein. Flag and banner signs shall be exempt from this regulation.

(4) Any sign or sign structure which:

(a) Is structurally or electrically unsafe;

(b) Constitutes a hazard by reason of inadequate maintenance, dilapidation, or abandonment;

(c) Has deteriorated to the point where it has become a blight on surrounding properties; or

(d) Is not kept in good repair, such that it has broken parts, non-operational lights, or similar issues.

(5) Signs affixed to a parked and unregistered vehicle without a valid license plate.

(6) Any sign obstructing free access to or egress from a required door, window, fire escape, or other required exit.

(7) Any sign containing obscene material.

(8) Any sign projecting into the public right-of-way.

(9) Any sign erected on any property, public or private, without the consent of the property owner.

(10) Any sign located within the public right-of-way, except those placed by authorized public entities.

(11) Inflatable and balloon signs.

(12) Billboards, except when permitted by State of Michigan regulations that supersede this Ordinance.

(13) Signs using electronic display, video display, or projected images.

(C) The Township Zoning Administrator shall have the authority to immediately remove or cause to be removed any sign which has been placed or located within the public right-of-way contrary to the provisions of the Ordinance or not authorized by the Clinton County Road Commission.

Section 11.05 Sign Design Standards

(A) **Construction Standards.** All signs placed upon any building, structure, lot or parcel shall comply with the following standards. See Sections 11.06 and 11.07.

(1) General Requirements. All signs shall be designed and constructed in a safe and stable manner in accordance with the Township's adopted building code and electrical code. All electrical wiring associated with a freestanding sign shall be installed underground.

(2) Building Code. In addition to complying with the requirements of this Article, the design and construction of all signs shall comply with the most current version of the Michigan Building Code, as adopted and amended by the Township.

(3) Sign Maintenance. Every sign in the Township, including those signs for which permits are required or exempt signs for which no permits are required, shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including all metal parts and supports. The Township shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute a hazard to public safety.

(B) **Illumination.**

(1) General Requirements. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it. Signs may be internally or externally illuminated, except where prohibited in this Article. Uplighting of signage shall be prohibited.

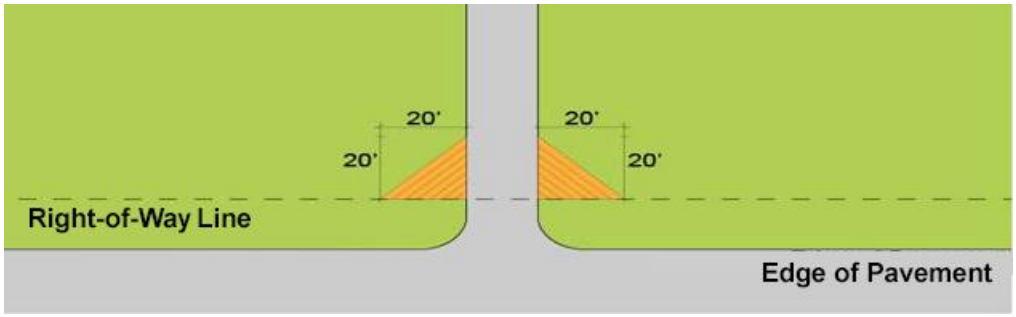
(2) Non-Glare, Shielded Lighting. Use of glaring, unshielded, undiffused lights or bulbs shall be prohibited. The source of illumination shall not be visible, shall be fully shielded, and shall cause no glare hazardous to pedestrians, motorists or adjacent residential uses or districts. Light sources for externally-illuminated signs shall be arranged so that light is deflected away from adjoining properties and so that it does not cast glare onto a public right-of-way.

(3) Light Trespass. All illuminated signs shall be placed so as to prevent their rays and illumination from being cast upon neighboring residences. The light cast from any sign illumination must reach below 0.5 foot candles at all lot lines.

(4) Bare Bulb Illumination. Illumination by unshielded bare bulbs or flames is prohibited.

(5) Flashing Signs. There shall be no flashing or intermittent illuminations causing interference with clear driver vision along any highway, street or road or at any intersection of two or more streets.

(C) **Clear Corner Vision.** All freestanding signs in all zoning districts must allow clear corner vision for all street intersections and driveway entrances. Freestanding signs must be less than three feet tall within a triangle formed by two points, each 20 feet away from the intersection of the right-of-way line and the driveway, and the line connecting them, as displayed below:

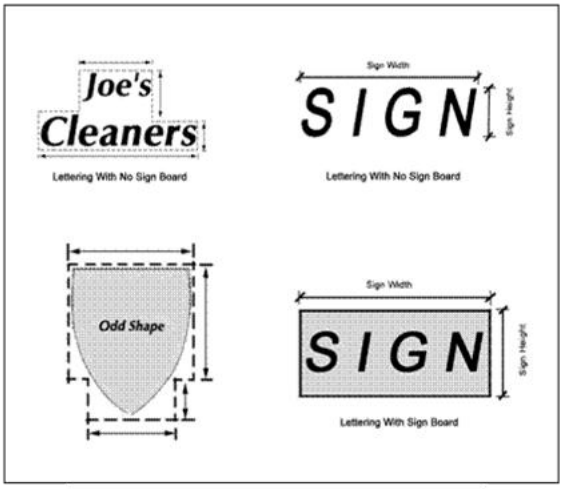


(D) **Measurement.**

(1) Sign Area. Sign area shall be computed as follows:

(a) General Requirements. Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.

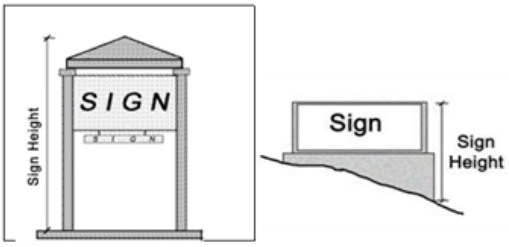
(b) Individual Letters, Logos, or Irregular Shapes. Where a sign consists of individual letters, logos, or other messages affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering, logo, or other message. For irregularly shaped signs, the area shall be computed as including the entire area as measured by enclosing the most protruding points or edges of a sign within the area of the smallest rectangle comprising all of the display area of the sign and including all of the elements of the matter displayed (see illustration below).



Measurement of Sign Area

(c) Freestanding Sign. The area of a double-faced freestanding sign shall be computed using only one (1) face of the sign provided that: 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible at any given time.

(2) Sign Height Measurement. The height of a sign shall be measured from the lowest grade directly below the sign. The maximum sign height shall be measured to the top of the sign.



Sign Height

Section 11.06 Permanent Sign Standards

Type of Sign	Districts Permitted	Maximum Size	Maximum Height	Maximum Number	Setback Required
Wall*	C, I, I-2, MR	100 sq. ft. (total for all signs on lot)	None	None	N/A
Freestanding*	C, I, I-2, MR	72 sq. ft.	9 feet	1 per road frontage	12 feet from all lot lines
	R**, RE, MH, or A **	48 sq. ft.	5 feet	1 per road frontage	12 feet from all lot lines
Awning* / Canopy*	C, I, I-2, MR	50% of canopy	No Max	None	None
Window*	C, I, I-2, MR	50% of window	No Max	None	None
Projecting*	C, I, I-2, MR	12 sq. ft.	10 feet off ground	1 per entrance	None

* See Section 17.01 under “Sign” for Definition
** Permanent signage is prohibited on lots in the R District where the only use is a single-family home

Section 11.07 Temporary Sign Standards

(A) **Temporary Signs.** Temporary signs shall be permitted as specified in the table below. Aside from any exempt temporary signs, property owners must receive a permit as described in this Article prior to the erection of a temporary sign and must follow all applicable requirements as described below.

(1) Temporary signs shall be permitted in the zoning districts specified in the table at the end of this Article.

(2) Each sign shall be placed in a manner which provides five feet of free passage for pedestrians, and does not interfere with normal pedestrian or vehicle traffic.

(3) All sign frames shall be constructed of a weatherproof material and shall be kept in good repair.

(4) Any temporary sign in place for more than 90 consecutive days shall be considered a permanent sign and be subject to all relevant provisions of this Ordinance for permanent signage.

Type of Sign	District Permitted	Max. Size	Max. Height	Max. Number
Freestanding*	All	24 sq. ft.	6 ft.	There shall be no maximum number of signs, but the total square footage of temporary freestanding signage shall not exceed 32 square feet at any given time.
Banner*	C, I, I-2, MR	32 sq. ft.	None	1
Window*	C, I, I-2, MR	100% of window	None	None

* See Section 17.01 under “Sign” for Definition

Article 12 Performance Standards

Section 12.01 Intent and Scope of Application

(A) **Intent.** The purpose of this Article is to establish controls on the impacts generated by permitted uses so as to prevent an unreasonable negative impact that might interfere with another person's use of his or her property, or that might cause harm to the public health, safety, and welfare.

(B) **Scope of Application.** After the effective date of this Ordinance, no structure or tract of land shall hereafter be used, created or occupied, and no structure, or part thereof, shall be erected, altered, reconstructed, or moved, except in conformity with all applicable performance standards set forth in this Article. No site plan or other land use or development application shall be approved unless evidence is presented to indicate conformity with the requirements of this Article.

Section 12.02 Performance Standards

No activity, operation or use of land, building**s**, or equipment shall be permitted if such activity, operation, or use produces an environmental impact or irritant to sensory perception which exceeds the standards set forth in this Section.

(A) **Noise.** No use in the Township shall generate or permit to be generated audible noise that exceeds 45 dBA (L_{max}) or 55 dBC (L_{max}) (dBC to dBA ratio of 10 dB per ANSI standard S12.9 Part 4 Annex D) on a consistent and regular basis, as measured at the property line.

(B) **Surface Water Flow.** No building, driveway, paved area, landscaping, or other site improvement shall have the effect of disruption to the existing or natural flow of water within drainage ditches, natural water courses, or drains, and no building, driveway, paved area, landscaping, or other site improvement shall have the effect of increasing the flow of water onto adjacent properties beyond the level that was present prior to construction. Previous approval of a Zoning Permit or other approval under this Ordinance shall not preclude the Township for taking enforcement action against a property deemed in violation of this section.

(C) **Dust, Smoke, Soot, Dirt, Fly Ash and Products of Wind Erosion.** Dust, smoke, soot, dirt, fly ash, and products of wind erosion shall be subject to the regulations established in conjunction with the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended, or other applicable state or federal regulations. No person, firm or corporation shall operate or maintain any process for any purpose or furnace or combustion device for the burning of coal or other natural or synthetic fuels, unless such processes or devices use or are equipped with recognized and approved equipment, methods, or technology to reduce the quantity of gas-borne or airborne solids or fumes emitted into the open air.

(1) The drifting of air-borne matter beyond the lot line, including wind-blown dust, particles or debris from open stockpiles, shall be prohibited. Emission of particulate matter from material products, or surfaces subject to wind erosion shall be controlled by paving, oiling, wetting, covering, landscaping, fencing, or other means.

(2) Residential wood stoves, wood-burning fireplaces, personal campfires, and personal grills/barbecues shall be exempt from this section.

(D) **Odor.** Offensive, noxious, or foul odors shall not be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on adjoining property, or which could be detrimental to human, plant, or animal life.

(E) **Glare and Heat.** Any operation or activity which produces glare shall be conducted so that direct and indirect illumination from the source of light does not exceed one-half (1/2) of one (1) foot candle when measured at any point along the property line of the site on which the operation is located. Any operation which produces intense glare or heat shall be conducted within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines. If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

(F) **Impacts from Other Activities.** Upon request, property owners shall provide the Township with evidence of compliance with relevant county, state and federal laws, ordinances, rules and regulations related to any of the following activities.

(1) Storage and handling of flammable liquids, liquefied petroleum, and explosives.
(2) Use of above or below ground storage tanks to contain flammable or toxic material.
(3) The storage, use, or manufacture of detonable material.
(4) Emission of gasses that could be injurious or destructive to life or property.
(5) Use of electronic equipment in an industrial, commercial, residential or other operation.
(6) Use of radioactive material and production of radioactive waste.
(7) Use of solar panels or wood burners.
(8) Wind-powered generators.

Section 12.03 Procedures for Determining Compliance

In the event that the Township receives complaints or otherwise acquires evidence of possible violation of any of the performance standards set forth in this Article, the following procedures shall be used to investigate, and if necessary, resolve the violation:

(A) **Official Investigation.** Upon receipt of evidence of possible violation, the Zoning Administrator shall make a determination whether there is reasonable cause to suspect the operation is indeed in violation of the performance standards. The Zoning Administrator may initiate an official investigation in order to make such a determination.

(1) Upon initiation of an official investigation, the Zoning Administrator is empowered to require the owner or operator of the facility in question to submit data and evidence deemed necessary to make an objective determination regarding the possible violation. Failure of the owner or operator to supply requested data shall constitute grounds for taking legal action to terminate the use and/or deny or cancel any permits required for continued use of the land. Data which may be required includes, but is not limited to the following:

(a) Plans of the existing or proposed facilities, including buildings and equipment.

(b) A description of the existing or proposed machinery, processes, and products.

(c) Specifications for the mechanisms and techniques used or proposed to be used to control emissions regulated under the provisions of this Article.

(d) Measurement of the amount or rate of emissions of the material purported to be in violation.

(B) **Method and Cost of Determination.**

(1) The Zoning Administrator shall take measurements and complete the investigation necessary to make an objective determination concerning the purported violation. Where required measurements and investigation can be accurately made by the Zoning Administrator with equipment and personnel normally available to the Township without extraordinary expense, such measurements and investigation shall be completed before notice of violation is issued. If necessary, skilled personnel and equipment or instruments shall be secured in order to make the required determination.

(2) If the alleged violation is found to exist, the costs of making such determination shall be charged against those responsible, in addition to such other penalties as may be appropriate. If it is determined that no substantive violation exists, then the costs of this determination shall be paid by the Township.

(C) **Appropriate Remedies.** If, after appropriate investigation, the Zoning Administrator determines that a violation does exist, the Zoning Administrator shall take, or cause to be taken, lawful action as provided by this Ordinance to eliminate such violation. The owners or operators of the facility deemed responsible shall be given written notice of the violation. The Zoning Administrator shall take appropriate action in accordance with the owner or operator's response to the notice of violation. Appropriate action includes the following:

(1) Correction of Violation within Time Limit. If the alleged violation is corrected within the specified time limit, even if there is no reply to the notice, the Zoning Administrator shall note "Violation Corrected" on the Township's copy of the notice, and the notice shall be retained on file. If necessary, the Zoning Administrator may take other action as may be warranted by the circumstances of the case, pursuant to the regulations in this and other ordinances.

(2) Violation Not Corrected and No Reply from Owner or Operator. If there is no reply from the owner or operator within the specified time limits, and the alleged violation is not corrected in accordance with the regulations set forth in this Article, then the Zoning Administrator shall take such action as may be warranted to correct the violation, as specified in Section 14.08, Violations and Penalties.

(3) Reply Requesting Extension of Time. If a reply is received within the specified time limit indicating that an alleged violation will be corrected in accordance with the regulations set forth in the Zoning Ordinance, but that more time is required than was granted by the original notice, the Zoning Administrator may grant an extension if:

(a) The Zoning Administrator deems that such extension is warranted because of the circumstances in the case, and

(b) The Zoning Administrator determines that such extension will not cause imminent peril to life, health, or property.

(4) Reply Requesting Technical Determination. If a reply received within the specified time limit requests further review and technical analysis even though the alleged violations continue, then the Zoning Administrator may call in properly qualified experts to complete such analysis and confirm or refute the initial determination of violation.

Article 13 PUD, Planned Unit Development

Section 13.01 Intent

(A) Planned Unit Development provides a regulatory option that is intended to provide a degree of flexibility so as to achieve development that is in accord with the Township's Master Plan; economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities; useful open space particularly suited to the proposed development; conservation of natural features; and, development that satisfies the needs of Township residents. A subdivision plat must be approved as a Planned Unit Development.

(B) Furthermore, Planned Unit Development is intended to encourage innovation in land use, particularly on sites with significant natural, historical, and architectural value, or on sites that exhibit difficult development constraints. Planned Unit Development allows for a mix of land uses and clustering of residential structures, so as to reduce development costs, preserve natural features, and maintain open space.

(C) Planned Unit Development is intended to further the following objectives:

(1) Preserve open fields, woodlands, wetlands, areas of steep topography, creeks, ponds and similar natural assets;

(2) Encourage a creative approach to development design in the Township;

(3) Encourage an efficient, aesthetic and desirable use of open areas and a reduction in development costs by allowing the developer to avoid and preserve natural obstacles on the site;

(4) Encourage open space and recreational facilities within and around new development;

(5) Promote the goals of the Township's Master Land Use Plan to maintain the Township's rural character, maintain an attractive landscaped corridor along the Township's major road frontages, maintain the traffic carrying capacity of the Township's major roads, and protect environmentally-sensitive areas;

(6) Provide the Township with a higher degree of control over the use of land and structures and design details of development in locations where application of conventional zoning requirements may not be appropriate;

(7) Provide the opportunity for inclusion in a single, unified development plan of associated or ancillary uses which are related to or supportive of the principal use.

Section 13.02 Unified Control

The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project, or assuring completion of the project, in conformity with this Ordinance. The property owner must have a physical street address.

The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the Township Clerk.

Section 13.03 Project Design Standards

Proposed Planned Unit Developments shall comply with the following project design standards:

(A) **Permitted Uses.** Any land use allowed as a principal permitted use or approvable special use in this ordinance may be included in a Planned Unit Development as a principal or Accessory Use**.**

(B) **Residential Density.** The overall density of residential uses within a Planned Unit Development shall not exceed the density designated for the Future Land Use category that the land in question is designated for in the Township Master Plan.

(C) **Dimensional Standards.** Modification to dimensional standards may be approved by the Township Board, upon recommendation from the Planning Commission, upon making the determination that other setbacks would be more appropriate because of the topography, existing trees and other vegetation, proposed grading and landscaping, or other existing or proposed site features. The Township Board may also approve modifications to dimensional standards, including minimum lot area or width, in exchange for the provision of dedicated open space by the developer.

(D) **Open Space.** The Township Board, upon receiving a recommendation from the Planning Commission, may require open space to be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land or through a conservation easement, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will be developed according to the site plan. Such conveyance shall:

(1) Indicate the proposed use(s) of the required open space.

(2) Indicate how the leisure and recreation needs of all segments of the population residing in or using the planned development will be accommodated.

(3) Provide for the privately-owned open space to be maintained by private property owners with an interest in the open space.

(4) Provide maintenance standards and a maintenance schedule.

(5) Provide notice of possible assessment to the private property owners by Eagle Township for the cost of maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance or in the event that other public facilities are not maintained.

(6) Be recorded with the Clinton County Register of Deeds to provide record notice of the restrictions to all persons having an interest in the property contained in the planned unit development.

(7) Frontage and Access. Planned Unit Developments shall front onto a paved public road and the main means of access to the development shall be via the paved public road. Each residential lot shall have frontage on, and each residential dwelling unit shall have direct access to, an approved public or private road. Individual residential dwelling units in a Planned Unit Development shall not have direct access onto a county primary road or state highway.

Section 13.04 Approval Procedures

(A) **Zoning Amendment.** The approval of a Planned Unit Development application shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as "PUD, Planned Unit Development." Approval granted under this Article, including all aspects of the final plan and conditions imposed on it, shall constitute an inseparable part of the zoning amendment.

(B) **General Application Requirements.** The application shall be submitted to the Eagle Township Clerk and shall be accompanied by all required fees and documents as specified herein. The applicant or a designated representative shall be present at all scheduled review meetings or consideration of the plan may be tabled due to lack of representation.

(C) **Pre-Application Conference.** In order to facilitate review of a Planned Unit Development proposal in a timely manner, the applicant may request an informal pre-application conference with the Township Zoning Administrator. The purpose of such a conference is to provide information and guidance to the applicant that will assist in preparation of the application and supporting materials.

(D) **Approval Process:**

(1) Professional Review. The Planning Commission may request professional review of the preliminary plans by appropriate agencies or consultants. If such review is requested, the designated agencies or consultants shall prepare and transmit reports to the Planning Commission stating their findings and conclusions and any recommended changes or revisions. The Township shall require the applicant to pay the cost of any such review fees.

(2) Public Hearing. The Planning Commission shall hold a public hearing, following the requirements for notice in the Michigan Zoning Enabling Act and Section 14.10 on any Planned Unit Development proposal before it is approved.

(3) Recommendation of Planning Commission. The Planning Commission shall review the application for Planned Unit Development, together with the public hearing findings and any requested reports and recommendations from the Zoning Administrator and Township Public Safety officials, Township Engineer, and other reviewing agencies. The Township Attorney shall review and comment on the proposed Planned Development Agreement and all related documents. Based on its review of the proposed plans and supporting documentation, the Planning Commission shall make findings of fact with respect to compliance with the standards and criteria in this Ordinance. The Planning Commission shall then set forth its findings and recommendation in a written report to the Township Board, based on the requirements and standards of this Ordinance. The Planning Commission may recommend approval, approval with conditions, or denial as follows:

(a) Approval. Upon determination by the Planning Commission that the final plan for Planned Unit Development is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall recommend approval.

(b) Approval with Conditions. The Planning Commission may recommend that the Township Board impose reasonable conditions upon the approval of a Planned Unit Development, to the extent authorized by law, for the purposes of insuring that public services and facilities affected by the proposed development will be capable of accommodating increased public service loads caused by the development, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect the natural resources and the public health, safety and welfare of individuals in the development and those immediately adjacent, and the community as a whole. Conditions imposed shall also be necessary to meet the intent and purpose of this Ordinance. In the event that the Planned Unit Development is approved subject to specified conditions, such conditions shall become a part of the record of approval, and such conditions shall be modified only as provided in this Ordinance. Where construction is not proposed to begin immediately, or where a project is proposed for construction in phases, the Planning Commission may recommend that final approval be granted subject to subsequent review and approval of detailed site plans for each facility or phase, provided that:

(i) The location and approximate size of such buildings shall be shown on the overall plan for the Planned Unit Development,

(ii) Detailed site plans for such buildings shall be submitted for review and approval in accordance with the site plan review requirements in Section 14.03, and

(iii) Phasing requirements shall be complied with.

(c) Denial. Upon determination by the Planning Commission that a Planned Unit Development proposal does not comply with the standards and regulations set forth in this Ordinance or otherwise would be injurious to the public health, safety, welfare, and orderly development of the Township, the Planning Commission shall recommend denial.

(4) Transmittal of Findings to Township Board. The Planning Commission shall prepare and transmit a report to the Township Board stating its conclusions and recommendation, the basis for its recommendation, and any recommended conditions relating to an affirmative decision.

(E) **Township Board Decision.** Following receipt of the Planning Commission's report, the application shall be placed on the agenda of the next available Township Board meeting. The applicant shall provide additional copies of the plan as requested by the Township to be provided to the Board. The Township Board shall review the final plan and proposed Planned Unit Development Agreement, together with the findings of the Planning Commission, and, if requested, any reports and recommendations from consultants and other reviewing agencies. Following completion of its review, the Township Board shall approve, approve with conditions, or deny a planned development proposal in accordance with the guidelines in this Ordinance.

(1) Planned Unit Development Agreement. If the Township Board approves the Planned Development proposal, the Township and applicant shall execute a Planned Unit Development Agreement, subject to Township Legal Counsel approval which shall be recorded in the office of the Clinton County Register of Deeds. Final approval of the Planned Unit Development plan shall become effective upon recording of the Agreement and evidence of the recording being presented to the Township.

(2) Effect of Approval. Approval of a Planned Unit Development proposal shall constitute an amendment to the Zoning Ordinance. All improvements and use of the site shall be in conformity with the Planned Unit Development and any conditions imposed. Notice of the adoption of the amendment shall be published in accordance with the requirements set forth in this Ordinance.

(F) **Completion of Site Design.** Following final approval of the Planned Unit Development proposal, a building permit may be obtained for the entire project or specific phases provided that final site plan approval for the project or the phase, as applicable, has been obtained, and provided further that the engineering plans for the project or the phase, as applicable, have been approved by the Township Engineer and Zoning Administrator. It shall be the responsibility of the applicant to obtain all other applicable Township, County, or State permits prior to issuance of a building permit.

(1) Construction shall commence on at least one phase of the project within twelve (12) months of final approval. The Township Board may also approve Planned Unit Development Agreements that waive this requirement. The Township Board may also consider a twelve (12) month extension, upon written request from the applicant, if it finds that the approved site plan adequately represents current conditions on and surrounding the site. The written request for extension must be received prior to the 12-month expiration date. In the event that construction has not commenced and a request for extension has not been received within 12 months, the Township may initiate proceedings to void the PUD approval.

(2) It shall be the responsibility of the owner of a property for which approval has been granted to maintain the property in accordance with the approved Planned Unit Development amendment on a continuing basis until the property is razed, or until an amendment to the Planned Unit Development is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the Zoning Ordinance and shall be subject to the penalties appropriate for such violation.

(3) Prior to expansion or conversion of a Planned Unit Development project to include additional land, site plan review and approval shall be required pursuant to the requirements of this Article and Ordinance.

(G) **Performance Guarantee.** A performance guarantee may be required the Township to ensure faithful completion of improvements.

(H) **Application Data Requirements.** Applications for Planned Unit Development shall include all data requirements specified in this sub-section. All information required to be furnished under this sub-section shall be kept updated until a Certificate of Occupancy has been issued.

(1) A Site Plan meeting the requirements of this Ordinance.

(2) A draft Planned Unit Development Agreement, setting forth the terms and conditions negotiated and to be agreed to by the applicant and the Township, and upon which approval of the Planned Unit Development proposal will be based. The Planned Unit Development Agreement shall, at minimum, include the following:

(a) A description of the land that is subject to the agreement.

(b) A description of the permitted uses of the property, the density or intensity of use, and the maximum height and size of proposed buildings.

(c) History of the review procedures and action taken by the Planning Commission or Township Board.

(d) List of all plans, documents, and other materials submitted by the applicant.

(e) Review and explanation of all special provisions agreed to by the applicant and Township during the course of review of the Planned Development proposal.

(f) An explanation of all public improvements to be undertaken by the applicant or the Township in conjunction with the proposed Planned Development project.

(g) Description of any required dedications and permits.

(h) Confirmation that the proposed development is consistent with applicable Township ordinances and planning objectives.

(i) Duration of the Planned Unit Development Agreement, along with terms under which a termination date may be extended by mutual agreement.

(j) Applicability of future amendments to the general zoning regulations to land that is subject to the proposed Planned Unit Development Agreement.

(k) Extent to which the Planned Unit Development plan may be modified subject to administrative approval, Planning Commission approval, or Township Board approval.

(I) **Revision to Approved Plans.** Approved final plans for a planned development may be revised through the same process as the first approval, described above.

Section 13.05 Review and Approval Standards

In considering any application for approval of a Planned Unit Development plan, the Planning Commission and Township Board shall make their determinations based on the following:

(A) **Conformance with the Planned Unit Development Concept.** The overall design and all uses proposed in connection with a Planned Unit Development shall be consistent with and promote the intent of the Planned Unit Development concept, as well as with specific project design standards set forth herein.

(B) **Compatibility with Adjacent Uses.** The proposed Planned Unit Development shall set forth specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and the uses thereon. In determining whether this requirement has been met, consideration shall be given to:

(1) The bulk, placement, and materials of construction of proposed structures.

(2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.

(3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

(4) The hours of operation of the proposed uses.

(5) The provision of landscaping and other site amenities.

(C) **Public Services.** The proposed Planned Unit Development shall not exceed the capacity of existing and available public services, including but not necessarily limited to utilities, public roads, police and fire protection services, and educational services, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the Planned Unit Development is completed. All utility services shall be underground.

(D) **Protection of Natural Environment.** The proposed Planned Unit Development shall be protective of the natural environment and shall be in compliance with all applicable environmental protection laws and regulations.

(E) **Compatibility with the Master Plan.** The proposed Planned Unit Development shall be consistent with the Future Land Use map in the Township Master Plan.

(F) **Compliance with Applicable Regulations.** The proposed Planned Unit Development shall be in compliance with all applicable Federal, state, and local laws and regulations.

Article 14 Procedures and Processes

Section 14.01 Purpose

The purpose of this Article is to provide procedures and related standards for the processing of all requests for Township action or review under the provisions of this Ordinance.

Section 14.02 Zoning Permit

A Zoning Permit, approved by the Zoning Administrator, shall be required prior to the any application to the Clinton County Building Department for a building permit for any exterior construction work in Eagle Township. Interior construction work shall not require a Zoning Permit. For activities requiring Site Plan Approval, the Site Plan Approval shall be considered the Zoning Permit. Alterations to the exterior of a building that do not alter the footprint, or the height of the building shall be exempt from the Zoning Permit requirement.

Section 14.03 Site Plan Review / Process

(A) **Intent.** The site plan review procedures, standards, and required information in this Section are intended to provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the regulations and standards contained in this Ordinance and other applicable ordinances and laws, including the Michigan Building Code, as amended, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the Township and applicant so as to facilitate development in accordance with the Township's land use objectives.

(B) **Site Plan Required.**

(1) Site Plan Required. Site plan approval shall be required for the development of any new use, the construction of any new structures, any change to the footprint or height of an existing structure, and all other building or development activities, with the exception of the following activities, when they do not accompany an activity that requires site plan approval:

(a) Erecting, moving, relocating, expanding, or altering the footprint or height of a single-family home, which shall require only approval of a Zoning Permit by the Zoning Administrator.

(b) Erecting, moving, relocating, expanding, or structurally altering an accessory structure on any lot, which shall require only approval of a Zoning Permit by the Zoning Administrator. This exemption shall not apply to accessory structures designed for a use that requires Special Use approval.

(c) Construction of a fence or wall on a site, which shall require only approval of a Zoning Permit by the Zoning Administrator.

(d) Expansion of off-street parking (on a lot containing a use other than a single-family home) involving twenty (20) or fewer spaces, which shall require only approval of a Zoning Permit by the Zoning Administrator. Expansions of parking involving twenty-one (21) or more spaces shall require Site Plan Approval.

(e) Alteration of the lighting or landscaping on a site (other than a single-family home), which shall require only approval of a Zoning Permit by the Zoning Administrator.

(f) Erection of a sign, which shall require only approval of a Sign Permit by the Zoning Administrator.

(C) **Site Plan Review Applications and Procedures.**

(1) Submission of Site Plan for Formal Review. In order to initiate formal review by the Planning Commission and Township Board, the applicant is required to submit the materials listed in Section E below, as well as all required fees, to the Township Clerk. Electronic submission is permitted.

(2) Distribution of Plans. Upon submission of all required application materials, the site plan proposal shall be placed on the next open Planning Commission agenda. The site plans and application shall be distributed to appropriate Township officials for review.

(D) **Review and Final Action.**

(1) Planning Commission Review. The Planning Commission shall review the site plan proposal and any requested reports and recommendations from the Zoning Administrator and/or reviewing agencies. The Planning Commission shall then make a final decision, based on the requirements and standards of this Ordinance. The Planning Commission may approve, approve with conditions, deny, or they may table the proposal, as noted below.

(a) Approval. Upon determination that a site plan is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall approve the site plan.

(b) Approval Subject to Conditions. Upon determination that a site plan is in compliance except for minor modifications, the Planning Commission may impose reasonable conditions upon approval of the site plan. The conditions for approval shall be identified and the applicant shall be given the opportunity to correct the site plan. The conditions may include, but need not be limited to, the need to obtain variances, obtain approvals from other agencies, or obtain special land use approval.

(i) The applicant shall submit a revised plan with a revision date, indicating compliance with the conditions. The applicant must re-submit the site plan to the Planning Commission for final approval after conditions have been met, unless the Planning Commission waives its right to review the revised plan, and instead authorizes the Zoning Administrator to review and approve the site plan after all required conditions have been addressed.

(c) Denial. Upon determination that a site plan does not comply with the standards and regulations set forth in this Article or elsewhere in this Ordinance, or requires extensive revision in order to comply with said standards and regulations, the Planning Commission shall deny the site plan.

(d) Tabling. Upon determination that a site plan is not ready for approval or rejection, or upon a request by the applicant, the Planning Commission may table consideration of a site plan until a later meeting.

(2) Time Period for Obtaining Approval. An applicant shall have a maximum of two (2) years from the date of submittal of a site plan for formal review to achieve final approval of the site plan, including compliance with all conditions. If approval is not achieved within this period, the application becomes null and void and a new application is required to pursue site plan review further.

(3) Recording of Site Plan Review Action. Each action taken with reference to a site plan review shall be duly recorded in the minutes of the Planning Commission. The grounds for action taken upon each site plan shall also be recorded in the minutes.

(a) After final action has been taken on a site plan and all steps have been completed, three copies of the application and plans shall be marked APPROVED or DENIED, as appropriate, with the date that action was taken. One marked copy will be returned to the applicant and the other two copies will be kept on file in the Township Hall. To the extent that a written decision in a case is requested or required, the minutes, prepared under the supervision of the Planning Commission secretary, along with the plan submitted, shall serve as the written decision, even if the minutes are awaiting final Planning Commission approval.

(4) Procedure after Site Plan Approval.

(a) Application for Building Permit. Following final approval of the site plan and the engineering plans, the applicant may apply for a building permit from the Clinton County Building Department. It shall be the responsibility of the applicant to obtain all other applicable Township, County, State, or Federal permits prior to issuance of a building permit.

(b) Expiration of Site Plan Approval. If construction has not commenced, or if the project has commenced but has not made reasonable progress, within twelve (12) months after final approval of the site plan, the site plan approval expires and a new application for site plan review shall be required. However, the applicant may apply in writing to the Planning Commission for an extension of site plan approval. The Planning Commission may grant one or more extensions of up to a total of twelve (12) months upon request from the applicant prior to expiration of the previous approval and provided that it finds that the approved site plan adequately represents current conditions on and surrounding the site and provided that the site plan conforms to current Zoning Ordinance standards.

(c) Property Maintenance after Approval. It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site plan approval was based, or until a new site design is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

(i) With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities which are the responsibility of the condominium association. Failure to maintain an approved site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

(5) Site Plan Violation. In the event that construction is not in compliance with the approved plans, the Zoning Administrator or his/her designee shall take corrective action, unless a revised site plan is submitted for Township review. If the builder or developer fails to take corrective action or pursue approval of an amended site plan, the Zoning Administrator or his/her designee may issue a citation, after which the Township Board may commence and pursue appropriate action in a court having jurisdiction.

(6) Modification to Approved Plan. Modifications to an approved site plan shall be reviewed by, and may be approved by, the Zoning Administrator. The Zoning Administrator may determine that the requested revisions are substantial enough that a new site plan approval process, as described in this Ordinance, is required, and refer the site plan to the Planning Commission.

Each action related to modification of a site plan shall be duly recorded in writing on a copy of the approved plan and shall be kept on file at Township Hall. The Planning Commission shall be advised of all minor site plan modifications approved by the Zoning Administrator.

(E) **Required Information on Site Plans.** The following information shall be included on all site plans, where applicable. The Planning Commission or Zoning Administrator shall have the jurisdiction to waive any of these requirements upon determining that it does not apply to the site or that there are practical difficulties of a non-monetary nature in obtaining the information.

(1) Application Form. The application form shall contain the following information:

(a) Applicant's name and address.

(b) Name, address and signature of property owner, if different from applicant.

(c) Common description of property and complete legal description including the Tax Identification number.

(d) Dimensions of land and total acreage.

(e) Existing zoning of applicant's parcel and surrounding land.

(f) Existing use of the applicant's parcel.

(g) Proposed use of land and name of proposed development, if applicable.

(h) Proposed buildings to be constructed, including square feet of gross and usable floor area.

(i) Proof of property ownership.

(j) Number of permanent employees, if applicable.

(k) Names, addresses, and telephone numbers of engineers, attorneys, architects, and other professionals associated with the project.

(l) Review comments and/or approvals from County, State, and Federal agencies. Copies of letters or approval forms should be submitted with the site plan application.

(2) Descriptive and Identification Data. Site plans shall consist of an overall plan for the entire development, drawn to a scale of not less than 1 inch = 20 feet for property less than 1 acre, 1 inch = 30 feet for property larger than 1 acre but less than 3 acres, and 1 inch = 50 feet for property larger than 3 acres, unless another scale is approved by the Zoning Administrator. Sheet size shall be at least 24 inches by 36 inches. The following descriptive and identification information shall be included on any site plans.

(a) Applicant's name and address, and telephone number.

(b) Title block indicating the name of the development.

(c) Scale.

(d) Northpoint.

(e) Dates of submission and revisions (month, day, and year).

(f) Location map drawn to scale with north point.

(g) Legal and common description of property, including acreage.

(h) The dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is a part of a larger parcel the plan should indicate the boundaries of total land holding.

(i) A schedule for completing the project, including the phasing or timing of all proposed developments.

(j) Identification and seal of the architect, engineer, land surveyor, or landscape architect who prepared or supervised and approved the plan.

(k) Written description of proposed land use.

(l) Zoning classification of applicant's parcel and all abutting parcels.

(m) Proximity to driveways serving adjacent parcels.

(n) Proximity to section corner and major thoroughfares.

(o) Notation of any variances that have or must be secured.

(p) Net acreage (minus rights-of-way) and total acreage, to the nearest 1/10 acre.

(3) Site Data.

(a) Existing lot lines, building lines, structures, parking areas, and other improvements on the site and within 100 feet of the site.

(b) Front, side, and rear setback dimensions.

(c) Topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a U.S.G.S. benchmark.

(d) Existing and proposed site features, including buildings, roadway widths and names, and parking areas.

(e) Existing structures within fifty (50) feet of the subject property.

(f) Dimensions and centerlines of existing and proposed roads and road rights-of-way, and acreage of proposed roads and road rights-of-way.

(g) Acceleration, deceleration, and passing lanes, where required.

(h) Proposed vehicular circulation system, including location of driveway entrances, roads, and on-site driveways.

(i) Typical cross-section of proposed roads and driveways.

(j) Location of existing drainage courses, floodplains, lakes and streams, with elevations, and acreage of bodies of water.

(k) Boundaries of all wetland areas, with sufficient dimensions between various points on the wetland boundary and buildings, property lines, or other features to allow accurate portrayal of the wetlands. The acreage shall be provided separately for all wetlands, and wetlands regulated by the State shall be identified. Wetlands staking and identification shall be done by a qualified wetlands expert (who must be approved by the Township). If deemed necessary because of site or soil conditions or because of the scope of the project, a detailed hydrology study may be required.

(l) Location of existing and proposed interior sidewalks and sidewalks in the road right-of-way.

(m) Exterior lighting locations and method of shielding lights from shining off the site.

(n) Trash and recycling receptacle locations and method of screening.

(o) Transformer pad location and method of screening, if applicable.

(p) parking spaces, typical dimensions of spaces, indication of total number of spaces, drives, and method of surfacing.

(q) Information needed to calculate required parking in accordance with Zoning Ordinance standards.

(r) The location of lawns and landscaped areas, including required landscaped greenbelts.

(s) Landscape plan, including location, size, type and quantity of proposed shrubs , trees and other live plant material.

(t) Location, sizes, and types of existing trees five (5) inches or greater in diameter, measured at one (1) foot off the ground, before and after proposed development.

(u) Cross-section of proposed berms.

(v) Location and description of all easements for public rights-of-way, utilities, access, shared access, and drainage.

(w) Designation of fire lanes.

(x) Loading/unloading area.

(y) The location of any outdoor storage of materials and the manner by which it will be screened.

(z) Indicate locations of steep slopes.

(4) Building and Structure Details.

(a) Location, height, and outside dimensions of all proposed buildings or structures.

(b) Indication of the number of stores and number of commercial or office units contained in the building, if applicable. If the site plan involves an existing non-residential building, then a list of all tenants shall be provided. No new tenants shall be allowed to occupy the building until the site plan is fully implemented.

(c) Building floor plans.

(d) Total floor area.

(e) Location, size, height, and lighting of all proposed signs.

(f) Proposed fences and walls, including typical cross-section and height above the ground on both sides.

(g) Building facade elevations, drawn to a scale of one (1) inch equals four (4) feet, or another scale approved by the Zoning Administrator and adequate to determine compliance with the requirements of this Ordinance. Elevations of proposed buildings shall indicate type and color of exterior building materials, roof design, projections, canopies, awnings and overhangs, screen walls and accessory buildings, and any outdoor or roof-located mechanical equipment, such as air conditioning units, heating units, and transformers.

(5) Information Concerning Utilities, Drainage, and Related Issues.

(a) Schematic layout and description of existing and proposed sanitary sewers, sewage treatment systems, and/or septic systems; water mains, well sites, and water service leads; hydrants that would be used by public safety personnel to service the site; storm sewers and drainage facilities, including the location of retention/detention facilities; and, the location of gas, electric, and telephone lines.

(b) Layout and description of telecommunications infrastructure.

(c) Indication of site grading and drainage patterns.

(d) Types of soils and location of floodplains and wetlands, if applicable.

(e) Soil erosion and sedimentation control measures.

(f) Proposed finish grades on the site, including the finish grades of all buildings, driveways, walkways, and parking lots.

(g) Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable.

(h) Assessment of potential impact on groundwater, including but not limited to quality, quantity, and recharge.

(i) All utilities shall be located underground within the boundaries of a proposed development, including but not limited to gas, electric, telephone and cable television service leads.

(6) Information Concerning Residential Development.

(a) The number, type and location of each type of residential unit (one bedroom units, two bedroom units, etc.).

(b) Density calculations by type of residential unit (dwelling units per acre).

(c) Lot coverage calculations.

(d) Floor plans of typical buildings with square feet of floor area.

(e) Garage and **Carport** locations and details, if proposed.

(f) Pedestrian circulation system.

(g) Location and names of roads and internal drives with an indication of how the proposed circulation system will connect with the existing adjacent roads.

(h) Community building locations, dimensions, floor plans, and facade elevations, if applicable.

(i) Swimming pool fencing detail, including height and type of fence, if applicable.

(j) Location and size of recreation open areas.

(k) Indication of type of recreation facilities proposed for recreation area.

(l) If common area or community buildings are proposed, then the site plan should indicate the responsibilities of the subdivision or condominium association, property owners, or other public entity, with regard to maintenance of the common areas or community property on a continuing basis.

(7) Information Applicable to Manufactured Housing Parks.

(a) Location and number of pads for Manufactured Housings.

(b) Distance between Manufactured Housings.

(c) Proposed placement of Manufactured Housing on each lot.

(d) Average and range of size of Manufactured Housing lots.

(e) Density calculations (dwelling units per acre).

(f) Lot coverage calculations.

(g) Garage and **Carport** locations and details, if proposed.

(h) Pedestrian circulation system.

(i) Location and names of roads and internal drives.

(j) Community building location, dimensions, floor plans, and facade elevations, if applicable.

(k) Swimming pool fencing detail, including height and type of fence, if applicable.

(l) Location and size of recreation open areas.

(m) Indication of type of recreation facilities proposed for recreation area.

(8) Additional Information.

(a) Information Related to Condominium Development. The following information shall be provided with all site plans involving condominium development:

(i) **Condominium** documents, including the proposed Master Deed, condominium Bylaws, and Condominium Subdivision Plan (Exhibit B).

(ii) **Condominium** subdivision plan requirements, as specified in the Condominium Rules promulgated by the Department of Licensing and Regulatory Affairs, Bureau of Commercial Services and Corporations, or successor agency.

(b) Items Not Applicable. If any of the items listed are not applicable to a particular site, the following information should be provided on the site plan, or accompanying the site plan:

(i) A list of each item considered not applicable.
(ii) The reason(s) why each listed item is not considered applicable.

(c) Other Data That May Be Required. Other data may be required if deemed necessary by the Township administrative officials or Planning Commission to determine compliance with the provisions in this Ordinance. Such information may include, but need not be limited to, traffic studies, market analysis, environmental assessment and evaluation of the demand on public facilities and services.

(F) **Standards for Site Plan Approval.** The following criteria shall be used as a basis upon which site plans will be reviewed and approved. The Planning Commission shall approve a site plan ONLY if it conforms to all of the following standards.

(1) Adequacy of Information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

(2) Site Design Characteristics. All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.

(3) Compliance with District Requirements. The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in the Schedule of Regulations unless otherwise provided in this Ordinance.

(4) Emergency Vehicle Access. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

(5) Ingress and Egress. Every structure or dwelling unit shall be provided with adequate means of Ingress and egress via public or private streets.

(6) Exterior Lighting. Exterior lighting shall be designed so that it is focused downward and deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.

(7) Public Services. Adequate services and utilities, including water, sewage disposal, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development. All streets and roads, water, sewer, and drainage systems, and similar facilities shall conform to the design and construction standards of the Township or County, as appropriate.

(8) Screening. Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height and shall comply with Articles 10.00 and 11.00 of this Ordinance.

(9) Coordination with Adjacent Sites. All site features, including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.

Section 14.04 Special Land Uses

(A) **Intent.** The procedures and standards in this Section are intended to provide a consistent and uniform method for review of proposed plans for special land uses (sometimes also referred to as Special Uses). Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be property classified as a permitted use in a particular zoning district. This Section contains standards for review of each special land use proposal individually on its own merits to determine if it is an appropriate use for the district and specific location where it is proposed.

(B) **Procedures and Requirements.** Special land use proposals shall be reviewed in accordance with the procedures for site plan review, as follows:

(1) Public Hearing Required. A public hearing shall be scheduled by the Township Administration and held by the Planning Commission, with notice as required by the Michigan Enabling Act and Section 14.10, before a decision is made on a special land use request.

(2) Planning Commission Action. The Planning Commission shall review the application for special land use together with the public hearing findings and reports and recommendations from the Zoning Administrator, Township Public Safety officials, and other reviewers. The Planning Commission shall then make a recommendation to the Township Board regarding the proposed special land use, based on the requirements and standards of this Ordinance. The Planning Commission may approve, approval with conditions, or deny the special land use application as follows:

(a) Approval. Upon determination by the Planning Commission that the final plan for special land use is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall approve the special land use.

(b) Approval with Conditions. The Planning Commission may impose reasonable conditions upon the approval of a special land use, to the extent authorized by law, for the purposes of insuring that public services and facilities affected by the proposed development will be capable of accommodating increased public service loads caused by the development, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect natural resources and the public health, safety and welfare of individuals in the development and those immediately adjacent, and the community as a whole. Conditions imposed shall also be necessary to meet the intent and purpose of this Ordinance.

(c) Denial. Upon determination by the Planning Commission that a special land use proposal does not comply with the standards and regulations set forth in this Ordinance, or otherwise would be injurious to the public health, safety, welfare, and orderly development of the Township, the Planning Commission shall deny the special land use.

(3) Recording of Action. Each action taken with respect to a special land use shall be duly recorded in the minutes of the Planning Commission. The minutes shall record the findings of fact relative to each special land use proposal, the grounds for the action taken, and any conditions imposed in conjunction with approval.

(4) Effect of Approval. Upon approval, a special land use shall be deemed a conforming use permitted in the district in which it is proposed, subject to any conditions imposed and final approval of the site plan. Such approval shall affect only the lot or portion thereof on which the proposed use is located. Such approval shall remain valid regardless of change of ownership.

(5) Zoning Board of Appeals Authority. The Zoning Board of Appeals shall not have the authority to consider an appeal of a decision concerning a special land use proposal. The ZBA shall have the authority to consider variances associated with a special land use that relate to specific requirements of this Ordinance, but not to the approval or denial or imposition of conditions regarding the Special Use as a whole.

(6) Application for a Building Permit. Prior to issuance of a building permit, the applicant shall submit proof of the following:

(a) Final approval of the special land use application.
(b) Final approval of the site plan.
(c) Final approval of the engineering plans.
(d) Acquisition of all other applicable Township, County, or State permits.

(7) Expiration of Special Land Use Approval. If construction has not commenced, or if the project has commenced but has not made reasonable progress within twelve (12) months after final approval, the approval becomes null and void and a new application for special land use approval shall be required. However, the applicant may apply in writing to the Planning Commission for an extension of special land use approval. The Planning Commission may grant one or more extensions of up to a total of twelve (12) months, upon request from the applicant prior to expiration of the previous approval and provided that it finds that the approved special land use plan conforms to current Zoning Ordinance standards.

(8) Modification to Approved Special Land Use. Special land use approval in accordance with provisions of this Section may subsequently be modified, subject to a revised application being submitted, including payment of a fee, which shall be equal to half the fee for the original approval, notice provided to the public as required for all Special Use applications, and subject to the following requirements:

(a) Modifications that do not change the nature of the use or that do not affect the intensity of use may be reviewed and approved following normal site plan review procedures. In evaluating change in intensity of use, the Planning Commission shall consider the extent of increase of vehicular or pedestrian traffic, the change in demand for public services, extent to which the total floor area occupied by the proposed use will increase, increased demand for parking, off-site impacts from noise, fumes, drainage, etc., and similar considerations.

(b) Modifications that change the nature of the use or that result in an increase in the intensity of the use shall be reviewed in the same manner as a new special land use proposal, following the procedures in this Section.

(9) Special Land Use Violation. In the event that construction or subsequent use is not in compliance with the approved special land use application, the Zoning Administrator or his/her designee shall take corrective action, unless a revised special land use application is submitted for Township review, following the normal special land use review procedures. If the builder, developer, or current user fails to take corrective action or pursue approval of an amended plan, the Zoning Administrator or his/her designee may issue a citation, after which the Township Board may commence and pursue appropriate action in a court having jurisdiction.

(10) Performance Guarantee. The Planning Commission may require that a performance guarantee be deposited with the Township to ensure faithful completion of the improvements.

(C) **Standards for Granting Special Land Use Approval.** Approval of a special land use proposal shall be based on the determination that the proposed use will be consistent with the intent and purposes of this Ordinance, will comply with all applicable requirements of this Ordinance, and the following standards:

(1) Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

(a) The location and screening of vehicular circulation and parking areas in relation to surrounding development.

(b) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

(c) The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

(d) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

(e) Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.

(2) Compatibility with the Master Plan. The request satisfies the Goals, Objectives, narrative, and intent of the Township Master Plan.

(3) Public Services. The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, roads, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special land use is established.

(4) Impact of Traffic. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets shall be appropriate for the volume of traffic they will carry, based on Clinton County Road Commission standards. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points, construct a secondary access road, install traffic controls or signage, or otherwise modify the circulation plan.

(5) Detrimental Effects. The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

(6) Compatibility with Natural Environment. The proposed special land use shall be compatible with the natural environment and conserve natural resources and energy.

Section 14.05 Variances and Appeals

(A) **Intent.** The purpose of this Section is to provide guidelines and standards to be followed by the Zoning Board of Appeals (ZBA) to act on matters where this Ordinance or state law gives jurisdiction to the ZBA.

(B) **Authority of the Zoning Board of Appeals.**

(1) General Authority. The Zoning Board of Appeals (ZBA) shall have the authority to act on those matters where this Ordinance provides for administrative review/appeal, interpretation, or special approval/appeal, and shall have authority to authorize a variance as defined in this Ordinance and the laws of the State of Michigan. Such authority shall be subject to the rules and standards in this Section. The ZBA shall not have the authority to alter or change zoning district classifications of any property, nor to make any change in the text of this Ordinance. The ZBA has no authority to grant variances to overturn decisions involving special land uses or planned unit developments. The Township Board may require fees to cover the reasonable costs of ZBA processes.

(2) Administrative Review. The ZBA shall have authority to hear and decide appeals where it is alleged that there is an error in an order, requirement, permit, decision, or refusal made by an official, board or commission in carrying out or enforcing any provisions of this Ordinance. Such appeal shall be requested by the applicant within 30 days of the date of the order, refusal, requirement, or determination being appealed.

(a) In hearing and deciding appeals under this sub-section, ZBA review shall be based upon the record of the administrative decision being appealed, and the ZBA shall not consider new information which had not been presented to the administrative official, board or commission from whom the appeal is taken. The ZBA shall not substitute its judgment for that of the administrative official, board or commission being appealed, and the appeal shall be limited to determining, based upon the record, whether the administrative official, board or commission breached a duty or discretion in carrying out this Ordinance.

(3) Interpretation. The ZBA shall have authority to hear and decide requests for interpretation of the Zoning Ordinance, including the zoning map. The ZBA shall make such decisions so that the spirit and intent of this Ordinance shall be observed. Text interpretations shall be limited to the issues presented and shall be based upon a reading of the Ordinance as a whole and shall not have the effect of amending the Ordinance. Map interpretations shall be made based upon rules in the Ordinance, and any relevant historical information. In carrying out its authority to interpret the Ordinance, the ZBA shall consider reasonable and/or practical interpretations which have been consistently applied in the administration of the Ordinance. Prior to deciding a request for an interpretation, the ZBA may confer with staff and/or consultants to determine the basic purpose of the provision subject to interpretation and any consequences which may result from differing decisions. A decision providing an interpretation may be accompanied by a recommendation for consideration of an amendment of the Ordinance.

(4) Variances. The ZBA shall have authority in specific cases to authorize one or more dimensional or "non-use" variances from the strict letter and terms of this Ordinance by varying or modifying any of its rules or provisions so that the spirit of this Ordinance is observed, public safety secured, and substantial justice done. A dimensional or non-use variance allows a deviation from the dimensional (i.e., height, bulk, setback) requirements of the Ordinance. A use variance authorizes the establishment of a use of land that is otherwise prohibited in a zoning district. The ZBA is not authorized to grant use variances by this Ordinance. Such authority shall be exercised in accordance with the following standards.

(a) The ZBA may grant a requested "non-use" variance only upon a finding that practical difficulties exist *and* that the need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. In determining whether practical difficulties exist, the ZBA shall consider the following factors:

(i) Unique circumstances or conditions exist which apply to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

(ii) As a result of the unique circumstances or conditions, strict compliance with the provisions of this Ordinance would unreasonably prevent the use of the property for a permitted purpose or would be unnecessarily burdensome.

(iii) The unique circumstances do not result from the actions of the applicant, including the knowing purchase of a property limited by existing non-conformities.

(iv) The variance requested is the minimum variance which will make possible the reasonable use of the land, building or structure.

(v) The granting of the variance will be in harmony with the spirit and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare.

(b) In all variance proceedings, it shall be the responsibility of the applicant to provide information, plans, testimony and/or evidence from which the ZBA may make the required findings. Administrative officials and other persons may, but shall not be required to, provide information, testimony and/or evidence on a variance request.

(5) Conditions. The ZBA may impose reasonable conditions in connection with an affirmative decision on an appeal, interpretation or variance request. Conditions imposed shall meet the following requirements:

(a) Be designed to protect natural resources, the health, safety and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

(b) Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.

(c) Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

(6) Conditions imposed with respect to the approval of a variance shall be recorded as part of the ZBA minutes, and shall remain unchanged except upon the mutual consent of the ZBA and the landowner following notice and hearing as required in a new case.

(C) **Applications and Notices.**

(1) Application. All applications to the ZBA shall be filed with the Township, on forms provided by the Township, and shall be accompanied by the applicable fee established by resolution of the Township Board. Applications shall include seven (7) individually folded copies and one (1) digital copy of all plans, studies and other information and data to be relied upon by the applicant. These materials shall be submitted to the Township no later than thirty (30) days prior to the Zoning Board of Appeals meeting at which the review is requested.

(2) Plot Plan. A plot plan be required with all variance requests. The plan, which shall accompany all variance requests, shall be based on a mortgage survey or land survey prepared by a licensed land surveyor. The plan shall be to scale and shall include all property lines and dimensions, setbacks and all existing and proposed structures. .

(a) The Zoning Board of Appeals has the authority to require a land survey prepared by a licensed land surveyor when the ZBA determines it to be necessary to insure accuracy of the plan.

(b) The ZBA shall have no obligation to consider and/or grant a request for relief unless and until a conforming and complete application has been filed; including relevant plans, studies and other information.

(3) Applications Involving an Appeal of Administrative Order. In a case involving an appeal from an action of an administrative official or entity, the administrative official, or the clerk or secretary of the administrative entity, as the case may be, upon notice from the Zoning Department, shall transmit to the ZBA copies of all papers constituting the record upon which the action was taken, together with a letter specifying an explanation of the action taken.

(4) Consent of Property Owner Required. Applications to the ZBA shall be made with the full knowledge and written consent of all owners of the property in question. This requirement shall include the consent of a land contract seller to the relief sought by a land contract purchaser.

(5) Notice. Notice of a public hearing concerning a request for a dimensional variance, interpretation of the zoning ordinance, or an appeal of an administrative decision shall be given as follows:

(a) A notice stating the time, date, and place of the public hearing shall be published in a newspaper of general circulation in the Township and sent to the person requesting the interpretation not less than 15 days before the public hearing.

(b) If the request for a dimensional variance, interpretation, or appeal involves a specific parcel, written notice stating the nature of the request and the time, date, and place of the public hearing shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within one thousand (1,000) feet of the boundary of the property in question, and to the occupants of all structures within one thousand (1,000) feet of the boundary of the property in question. If a tenant's name is not known, the term "occupant" may be used.

(6) Stay of Proceedings. An appeal shall have the effect of staying all proceedings in furtherance of the action being appealed unless the officer or entity from whom the appeal is taken certifies to the ZBA that, by reason of facts stated in such certification, a stay would in his or her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed unless specifically determined by the ZBA, or by a court of competent jurisdiction.

(7) Decision by the Zoning Board of Appeals. The concurring vote of a majority of the membership of the ZBA shall be necessary to reverse any order, requirement, decision, or determination of an administrative official, board, or commission made in the administration of this ordinance, to decide in favor of an applicant on any matter upon which the ZBA is required to pass under this ordinance, or to grant a "non-use" variance from the terms of this ordinance.

(D) **Disposition and Duration of Approval.**

(1) The ZBA may reverse, affirm, vary of modify any order, requirement, decision, or determination presented in a case within the ZBA's jurisdiction, and to that end, shall have all of the powers of the officer, board or commission from whom the appeal is taken, subject to the ZBA's scope of review, as specified in this Ordinance and/or by law. The ZBA may remand a case for further proceedings and decisions, with or without instructions.

(2) Decision Final. A decision by the ZBA shall be considered final as of the meeting at which the decision has been made, and the date of such meeting shall be deemed to be the date of notice of the decision to the applicant. To the extent that decisions are requested or required to be in writing, the minutes of the ZBA meeting, and decision, as proposed under supervision of the secretary, shall constitute the written decision.

(3) Period of Validity. Any decision of the ZBA favorable to the applicant shall remain valid only as long as the information and data relating to such decision are found to be correct, and the conditions upon which the decision was based are maintained. The relief granted by the ZBA shall be valid for a period not longer than one (1) year, unless otherwise specified by the ZBA, and within such period of effectiveness, actual on-site improvement of property in accordance with the approved plan and the relief granted, under a valid building permit, must be commenced or the grant of relief shall be deemed void.

(4) Record of Proceedings. The Township administrative staff, under the supervision of the secretary of the ZBA, shall prepare and keep minutes of the ZBA proceedings, showing the findings, decisions, conditions, if any, and votes of each member in each case, including a member's absence or failure to vote. The minutes shall be within the ultimate authority, and shall be the responsibility, of the secretary of the ZBA, and shall be subject to approval of the ZBA. To the extent that a written decision in a case is requested or required, the minutes, prepared under the supervision of the ZBA secretary, along with the plan submitted, shall serve as the written decision, even if the minutes are awaiting final ZBA approval.

(a) The official records of the ZBA proceedings shall be filed in the Township Hall and shall be public records.

(5) Appeal of a ZBA Decision. Appeals of a ZBA decision shall be taken in the manner provided by law.

(6) New Application for Variance. If the ZBA denies a request for a variance, the decision of the ZBA shall not be subject to re-consideration for a period of one year, whereupon the applicant may submit a new application for the variance. However, the ZBA may waive the one year period if conditions upon which their original decision was made change, or if information relating to the original decision are found to be incorrect or inaccurate.

Section 14.06 Amendments

(A) **Initiation of Amendment.** The Township Board may amend, supplement, or change the district boundaries or the regulations herein, pursuant to the authority and procedures set forth in Michigan Public Act 110 of 2006, as amended. Text amendments may be proposed by any governmental body or any interested person or organization. Changes in district boundaries may be proposed by any governmental body, any person having a freehold interest in the subject property, or by the designated agent of a person having a freehold interest in the property.

(B) **Application for Amendment.** A petition 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 a petition on the forms provided by the Township and accompanied by the fees specified. The petition shall describe the proposed amendment and shall be signed by the applicant. Petitions for rezoning of a specific site shall be accompanied by a plot plan or survey, which shall contain the following information. These materials shall be submitted to the Township no later than noon thirty (30) calendar days prior to the Planning Commission or Township Board meeting at which the review is requested.

(1) Applicant's name, address, and telephone number.

(2) Scale, north point, and dates of submittal and revisions.

(3) Zoning classification of petitioner's parcel and all abutting parcels.

(4) Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within fifty (50) feet of the site.

(5) Proposed lot lines and lot dimensions, and general layout of proposed structures, parking areas, driveways, and other improvements on the site.

(6) Dimensions, centerlines, and right-of-way widths of all abutting streets and alleys, both public and private.

(7) General location of existing drainage courses, floodplains, lakes and streams, and woodlots.

(8) All existing and proposed easements.

(9) Location of sanitary sewer or septic systems, existing and proposed.

(10) Location and size of water main, well sites, and building services, existing and proposed.

(11) **Optional Conditional Rezoning (CR) Agreement:** A CR Agreement, which is voluntarily offered by the applicant (or designee), may be submitted. If submitted, the Agreement shall set forth the Rezoning Conditions, together with any other term mutually agreed upon by the parties, including the following terms:

(a) Agreement and acknowledgement that the conditional rezoning was proposed by the applicant to induce the Township to grant the rezoning, and that the Township relied upon such proposal and would not have granted the rezoning but for the terms in the CR Agreement.

(b) Agreement and acknowledgement that the conditions and CR Agreement are authorized by all applicable state and federal laws and constitution, and that the CR Agreement is valid and was entered into on a voluntary basis, representing a permissible exercise of authority by the Township.

(c) Agreement and understanding that the property in question shall not be developed or used in a manner that is inconsistent with the CR Plan and CR Agreement.

(d) Agreement and understanding that the approval and CR Agreement shall be binding upon and inure to the benefit of the property owner and the Township, and their respective heirs, successors, assigns, and transferees.

(e) Agreement and understanding that, if a conditional zoning expires in the manner provided in this Section, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.

(f) Agreement and understanding that each of the requirements and conditions in the CR Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.

(g) Any other agreement voluntarily proposed by the applicant (or designee) that is consistent with all applicable state and federal laws and is agreed to by the Township.

(C) **Review Procedures.** After the completed petition and all required supporting materials have been received and fees paid, the petition shall be reviewed in accordance with the following procedures:

(1) Planning Commission Review. The petition shall be placed on the agenda of the next regularly scheduled meeting of the Planning Commission. The Planning Commission shall review the petition for amendment in accordance with the procedures and public hearing and notice requirements set forth in Michigan Public Act 110 of 2006, as amended, and schedule a public hearing for the request on the next available Planning Commission agenda.

(2) Action by the Planning Commission. Following the hearing on the proposed amendment, the Planning Commission shall make written findings of fact which it shall transmit to the Township Board, together with the comments made at the public hearing and its recommendations.

(3) Action by the Township Board. The Township Board may hold additional hearings if the Board considers it necessary, following the hearing and notice requirements of Michigan Public Act 110 of 2006, as amended. The Township Board may by majority vote of its membership adopt the proposed amendment, reject the proposed amendment, or refer the proposed amendment back to the Planning Commission for further review and recommendation within a specified time period. Thereafter, the Township Board may either adopt the amendment with or without the recommended revisions or reject it.

(4) Review Considerations. The Planning Commission and Township Board shall at minimum, consider the following before taking action on any proposed amendment.

(a) Will the proposed amendment be in accordance with the basic intent and purpose of the Zoning Ordinance?

(b) Will the proposed amendment further the comprehensive planning goals of the Township as reflected in the Master Plan?

(c) Have conditions changed since the Zoning Ordinance was adopted or was there a mistake in the Zoning Ordinance that justifies the amendment?

(d) Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges?

(e) Will the amendment result in unlawful exclusionary zoning?

(f) Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?

(g) If a rezoning is requested, is the proposed zoning consistent with the zoning classification of surrounding land?

(h) If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?

(i) If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?

(j) Will the proposed amendment be consistent with the purposes of this Ordinance and, in particular, will the proposed amendment promote the public health, safety and welfare?

(5) Notice of Record of Amendment Adoption. Following adoption of an amendment by the Township Board, one notice of adoption shall be filed with the Township Clerk and one notice shall be published in newspaper of general circulation in the Township within fifteen (15) days after adoption, in accordance with Michigan Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the Township Clerk. A master Zoning Map shall be maintained by the Township, which shall identify all map amendments.

(6) Effects of Approval of a Conditional Rezoning Agreement. If a Conditional Rezoning Agreement has been approved, the use of property in question shall conform to all regulations governing development and use in the zoning district to which the property has been rezoned, subject to the following:

(a) Development Subject to Conditional Rezoning Requirements. Development and use of the property shall be subject to the more restrictive requirements specified on the CR Plan, in the Rezoning Conditions and in the CR Agreement, required as part of the Conditional Rezoning approval. Such requirements shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.

(b) Site Plan Review and Other Approvals Required. Approval of the CR Plan and Agreement confirms only the rezoning of the property, subject to any conditions imposed as reflected in the CR Plan. Site plan, special land use, plat, and condominium approval, as appropriate, shall be required, pursuant to procedures in Article 17.00, prior to any improvements to the property.

(i) Any use or development proposed as part of any offer of conditions that would require a variance under the terms of this Ordinance may only be commenced if a variance for such use or development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this Ordinance.

(c) Recording and Publication of CR Agreement. A conditional rezoning shall become effective following publication in the manner provided by law, and, after recordation of the CR Agreement, whichever is later.

(D) **Referendum.** Within thirty (30) days following the passage of the amendment, a petition signed by a number of qualified and registered voters as specified in Section 402 of Public Act 110 of 2006, as amended, may be filed with the Township Clerk requesting submission of an ordinance or part of an ordinance to the electors for their approval, in accordance with Section 402(2) of Michigan Public Act 110 of 2006, as amended.

Section 14.07 Filing Fees

(A) All applications shall be accompanied by a filing fee which shall be established by resolution of the Township Board, in accordance with Section 406 of Public Act 110 of 2006, as amended. This filing fee may include a deposit toward the costs of any consultants retained by the Township for reviewing the application, such as consulting planning services, consulting engineering services, legal services, court reporter services, or similar services. The filing fee and deposit shall be paid before the review process begins. Upon notification of deficient payment of fees, administrative officials charged with enforcement of the Ordinance shall suspend further review of the application.

(B) Any deposit toward the cost of any consultants shall be credited against the expense to the Township of such consultants, which shall be fully charged to the applicant. Any portion of the deposit not needed to pay such expense shall be refunded without interest to the applicant within 30 days of final action on the application.

(C) A schedule of the current filing fees and deposit requirements shall be made available to anyone who requests it.

(D) The assessment and payment of application fees does not affect the requirements for a performance guarantee.

Section 14.08 Violations and Penalties

(A) **Public Nuisance.** Buildings Erected, altered, razed or converted (including tents, Manufactured Housings, and trailer coaches), or uses carried on in violation of any provision of this Ordinance are hereby declared to be a nuisance per se, and shall be subject to abatement or other action by a court of appropriate jurisdiction.

(B) **Violation Defined.** Any person, firm, corporation, or agent, or any employee, contractor, or subcontractor of same, who fails to comply with any of the provisions of this Ordinance or any of the regulations adopted in pursuance thereof, or who impedes or interferes with the enforcement of this Ordinance by the Zoning Administrator or other Enforcement Official shall be deemed in violation of this Ordinance.

(C) **Penalties.** Any violation of this Ordinance shall constitute municipal civil infraction (as defined by Michigan Statute). The penalty for a municipal civil infraction shall be a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1st Offense	$75.00	$500.00
2nd Offense	150.00	500.00
3rd Offense	325.00	500.00
4th Offense	500.00	500.00

(1) In addition, the violator shall pay costs which may include all expenses, direct and indirect, which Eagle Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than $25.00 be ordered.

(2) Upon notice of a violation, the appropriate Township employee shall investigate any violation and then make a determination as to whether the penalty shall be imposed. This municipal civil infraction ticket shall serve as notice of the alleged violation. The imposition of a municipal civil infraction fine for any violation shall not excuse the violation or permit it to continue. Further violations subject the owner or occupant, or person or persons, agent, firm or corporation to subsequent municipal civil infraction violations.

(3) Furthermore, the owner or tenant of any building, structure, premise, or part thereof, and any architect, engineer, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains any violation, of the Ordinance may each be found guilty of a separate offense and may be subject to the penalties provided herein. The cost of prosecution shall also be assessed against the violator.

(4) The imposition of any sentence shall not exempt the offense from compliance with the requirement of this Ordinance.

(D) **Authority to Pursue Court Action.** The Township Board or its duly authorized representative is hereby empowered to commence and pursue any and all necessary and appropriate actions or proceedings in the Circuit Court, or any other court having jurisdiction, to restrain or prevent any non-compliance with, or violation of, any of the provisions of this Ordinance, and to correct, remedy, or abate such noncompliance or violation. Any person aggrieved or adversely affected by such noncompliance or violation may institute suit or join the Township Board in such a suit to abate the violation.

(E) **Other Remedies.** The rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the Township to initiate proceedings in an appropriate court of law to restrain or prevent any noncompliance with any provisions of this Ordinance, or to correct, remedy, or abate such non-compliance.

(F) **Rights and Remedies Preserved.** Any failure or omission to enforce the provisions of this Ordinance, and failure or omission to prosecute any violations of this Ordinance, shall not constitute a waiver of any rights and remedies provided by this Ordinance or by law, and shall not constitute a waiver or nor prevent any further prosecution of violations of this Ordinance.

Section 14.09 Records

The Township shall keep accurate records of all decisions on all applications submitted pursuant to this Ordinance.

Section 14.10 Public Notice

The Township shall ensure that any application process requiring a public hearing shall comply with the requirements of PA 110 of 2006, as amended, and the procedures of this Section.

(A) **Publication in a Newspaper of General Circulation.** Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date the application will be considered for approval.

(B) **Personal and Mailed Notice.**

(1) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.

(2) Notice shall be sent to all persons to whom real property is assessed within one thousand (1,000) feet of the property and to the occupants of all structures within one thousand (1,000) feet of the property, including the owners or occupants of structures located in adjacent cities or townships. If the name of the occupant is not known, the term “occupant” may be used in making notification.

(3) All notice delivered by mail or personal delivery must be given not less than fifteen (15) days before the date of the public hearing. Notice shall be deemed mailed by its deposit in the United States mail.

(4) The Township shall prepare a list of property owners and occupants to whom notice was mailed or delivered.

(5) **Content.** Any notice published in a newspaper or delivered by mail or personal delivery shall:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request.

(c) Include a listing of all existing street addresses within the property. If no such addresses exist, other means of identifying the property may be used.

(d) When and where the public hearing will occur.

(e) When and where written comments may be submitted concerning the request.

Article 15 Administrative Organization

Section 15.01 Overview

(A) The Township Board of Trustees or its duly authorized representative as specified in this Article is hereby charged with the duty of enforcing the provisions of this Ordinance. Accordingly, the administration of this Ordinance is hereby vested in the following Township entities:

(1) Township Board of Trustees
(2) Township Planning Commission
(3) Zoning Board of Appeals
(4) Zoning Administrator

(B) The purpose of this article of the Zoning Ordinance is to set forth the responsibilities and scope of authority of these entities.

Section 15.02 Township Board of Trustees

The Township Board of Trustees shall have the responsibilities granted to it by the Michigan Planning Enabling Act (Public Act 33 of 2008, as Amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as Amended), as well as the powers explicitly granted to it in this Ordinance.

(A) **Setting of Fees.** By resolution, the Township Board shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this Ordinance.

Section 15.03 Township Planning Commission

The Township Planning Commission shall have the following responsibilities and authority pursuant to this Ordinance.

(A) **Creation.** The Township Planning Commission was created pursuant to Michigan Public Act 33 of 2008, as amended, the Michigan Planning Enabling Act, and Township Ordinance. The Planning Commission will continue to operate under the jurisdiction of those Acts.

(B) **Membership and Operation.** Members of the Planning Commission shall be appointed by the Township Supervisor with the approval of the Township Board of Trustees. The qualifications of members, the term of each member, filling of vacancies, removal of members, compensation of members, and operation of the Planning Commission shall be in accordance with Michigan Public Act 33 of 2008, as amended, and Township Ordinance.

(1) The Planning Commission by resolution shall determine the time and place of meetings. A special meeting may be called by either two (2) members upon written request to the secretary, or by the chairperson. The Planning Commission shall adopt by-laws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(C) **Jurisdiction.** The Planning Commission shall have the responsibilities granted to it by the Michigan Planning Enabling Act (Public Act 33 of 2008, as Amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as Amended), as well as the powers explicitly granted to it in this Ordinance.

(1) Report on Operation of the Zoning Ordinance. In accordance with Section 308(2) of Michigan Public Act 110 of 2006, as amended, the Planning Commission shall periodically prepare for the Township Board of Trustees a report on the operations of the Zoning Ordinance including recommendations as to the enactment of amendments or supplements to the Ordinance.

(2) Capital Improvements Plan. In accordance with Section 65(1) of Michigan Public Act 33 of 2008, as amended, the Planning Commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements.

Section 15.04 Zoning Board of Appeals

The Township Zoning Board of Appeals (hereinafter referred to as "ZBA") is created pursuant to Michigan Public Act 110 of 2006, as amended.

(A) **Membership and Operation.** The ZBA shall consist of three (3) members who shall be appointed in accordance with Section 601(3) of Michigan Public Act 110 of 2006, as amended, as follows:

(1) The first member shall be a member of the Planning Commission, as appointed by the Township Board.

(2) The remaining members (including any alternate members) shall be electors of the Township residing outside of incorporated cities and villages and shall be representative of the population distribution and of the various interests present in the Township.

(3) No employee or contractor of the Township may be a member or employee of the Board of Appeals. No Township Board member may serve as chairman of the Board of Appeals.

(4) The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the ZBA shall be in accordance with Michigan Public Act 110 of 2006, as amended. The ZBA shall not conduct business unless a majority of the members of the Board are present.

(5) The Township Board may appoint up to 2 alternate members for the same term as regular members to the ZBA. An alternate member may be called to serve as a member of the ZBA in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the ZBA.

(B) **Meetings.** Meetings of the ZBA shall be held in accordance with an adopted schedule, or at the call of the Chairperson, or at such other times as the ZBA may specify in its bylaws. The ZBA shall state the grounds of each determination, and shall maintain a record of its proceedings, which shall be filed in the office of the Township Clerk.

Section 15.05 Zoning Administrator

(A) **Overview.** As specified throughout this Ordinance, certain actions necessary for the implementation of this Ordinance shall be administered by the Zoning Administrator/Zoning Administrator, or their duly authorized assistants, agents or representatives. In carrying out their designated duties, all such enforcement officers shall administer the Ordinance and shall not make changes or vary the terms of the Ordinance.

(B) **Responsibilities of the Zoning Administrator and/or Zoning Administrator.** In addition to specific responsibilities outlined elsewhere in this Ordinance, the Zoning Administrator and/or Zoning Administrator or his/her duly authorized assistants or agents shall have the following responsibilities. The roles of Zoning Administrator and/or Zoning Administrator shall include:

(1) Provide citizens and public officials with information relative to this Ordinance and related matters.

(2) Assist applicants in determining and completing appropriate forms and procedures related to site plan review, rezoning, and other zoning matters.

(3) Review and investigate permit applications to determine compliance with the provisions of the Zoning Ordinance.

(4) Issue appropriate permits upon compliance with provisions of this Ordinance and other applicable ordinances.

(5) Perform inspections of buildings, structures, and premises to insure proposed land use changes or improvements are in compliance with this Ordinance.

(6) Investigate alleged violations of this Ordinance and enforce appropriate corrective measures when required, including issuance of violation notices, citations, issuance of orders to stop work, and revoking of permits.

(7) Perform other related duties required to administer this Ordinance.

(8) Maintain records as accurately as is feasible of all nonconforming uses, structures, and lots existing on the effective date of this Ordinance, and update this record as conditions affecting the nonconforming status of such uses changes.

Section 15.06 Performance Guarantee

(A) **Intent and Scope of Requirements.**

(1) To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission, Zoning Board of Appeals, or Township Board may require that a performance guarantee be deposited with the Township to insure faithful completion of improvements, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

(2) Improvements for which the Township may require a performance guarantee include, but are not limited to, landscaping, berms, walls, lighting, driveways and parking, acceleration/deceleration lanes, traffic control devices, sidewalks, completion of construction in a timely fashion, wetlands disturbance, and land reclamation activities.

(B) **General Requirements.** The performance guarantee shall meet the following requirements:

(1) The performance guarantee shall be in the form of an insurance bond, an irrevocable bank letter of credit, or cash escrow. Any such performance guarantee shall not have an expiration date and shall include a provision that calls for notification of the Township if the bond is canceled. If the applicant posts a letter of credit, the credit shall require only that the Township present the credit with a sight draft and an affidavit signed by the Township Supervisor attesting to the Township's right to draw funds under the credit. The escrow funds shall be delivered directly to the Township for deposit.

(2) The performance guarantee shall be submitted at the time of issuance of the permit authorizing the activity or project. If appropriate, based on the type of performance guarantee submitted, the Township shall deposit the funds in an interest-bearing account in a financial institution with which the Township regularly conducts business.

(3) The amount of the performance guarantee shall be 125% of the estimated cost of the improvements for which the performance guarantee is required. The applicant shall provide an itemized schedule of estimated costs to complete all such improvements. The exact amount of the performance guarantee shall be determined by the Zoning Administrator.

(4) The entire performance guarantee shall be returned to the applicant following inspection by the Zoning Administrator and a determination that the required improvements have been completed satisfactorily. The performance guarantee may be released to the applicant in proportion to the work completed on various elements, provided that a minimum of ten percent (10%) shall be held back on each element until satisfactory completion of the entire project.

(5) An amount not less than ten percent (10%) of the total performance guarantee may be retained for a period of at least one year after installation of landscape materials to insure proper maintenance and replacement, if necessary. This amount shall be released to the applicant upon certification by the Zoning Administrator, or his/her designee, that all landscape materials as defined in Article 10 are being maintained in good health and condition.

(C) **Unsatisfactory Completion of Improvements.** Whenever required improvements are not installed or maintained within the time stipulated or in accordance with the standards set forth in this Ordinance, the Township may complete the necessary improvements itself or by contract to an independent developer, and assess all costs of completing said improvements against the performance guarantee. Prior to completing said improvements, the Township shall notify the owner, site plan review applicant, or other firm or individual responsible for completion of the required improvements.

Article 16 Rules of Construction

Section 16.01 Rules of Construction

The following rules of construction apply to the text of this Ordinance:

(A) The particular shall control the general.

(B) Words used in the present tense shall include the future, unless the context clearly indicates the contrary.

(C) Words used in the singular number shall include the plural; and words used in the plural shall include the singular, unless the context clearly indicates the contrary.

(D) Terms referred to in the masculine gender include the feminine and neuter.

(E) The word **shall** is always mandatory and not discretionary; the word **may** is permissive and discretionary.

(F) The word build includes the words **erect** and **construct**.

(G) The word building includes the word structure. A building or structure includes any part thereof.

(H) The words **include or including** shall mean including but not limited to.

(I) The phrase **such as** shall mean such as but not limited to.

(J) The phrase **used for** includes arranged for, designed for, intended for, occupied for, and maintained for.

(K) The word **person** includes an individual, firm, association, organization, private or public corporation, partnership or co-partnership, a limited liability company, incorporated or unincorporated association, trust, or any other entity recognizable as a person under the laws of the State of Michigan.

(L) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction **and, or,** or **either/or,** the conjunction shall be interpreted as follows:

(1) And indicates that all the connected items, conditions, provisions, or events shall apply.

(2) Or indicates that the connected items, conditions, provisions, or events may apply singularly or in any combination.

(3) Either/or indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.

(M) All measurements shall be to the nearest integer, unless otherwise specified herein.

(N) Unless otherwise stated, the word **day** shall mean a calendar day; **month** shall mean any consecutive period of 30 calendar days; and **year** shall mean any consecutive period of 365 calendar days.

(O) Unless the context clearly indicates the contrary, where an illustration accompanies any item within this Ordinance, the written text shall have precedence over said illustration.

(P) The term **residential districts** include the A and R Districts.

(Q) In the event that a word or phrase is not defined in this Ordinance, the Township, including its board and commissions, shall use the definition as stated in the Township Clerk's copy of Webster's *New World Dictionary.*

Article 17 Definitions

Section 17.01 Definitions

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning. Words or terms not herein defined shall have the meaning customarily assigned to them. Definitions of uses in the Table of Permitted Uses in Article 3 are defined in Article 5.

Accessory Use, Accessory Building, or **Accessory Structure:** A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot (unless otherwise specifically permitted) as the principal use to which it is related.

Accessory Dwelling Unit: A second dwelling unit associated with the principal dwelling which cannot be sold or leased separately from the principal dwelling unit.

Alterations: Any change, addition or modification to a structure or type of occupancy, or any change in the structural members of a building, such as walls or partitions, columns, or beams or girders, or any change which may be referred to herein as **altered** or **reconstructed**.

Animal: Any member of the kingdom Animalia, other than humans. All domesticated animals in the Township shall be considered one of the following for the purposes of this Ordinance:

Pet: An animal kept solely for companionship, recreation, and pleasure, regardless of the use of the property where the animal resides. All animals kept for companionship, recreation, and pleasure shall be considered domestic pets for the purposes of this ordinance, except for those defined as “Exotic or Wild Animals.” Pets may include, but are not limited to, dogs, cats, birds, and small fish.

Domestic Livestock: An animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor or the production of milk, eggs, manure, wool, or other animal-based products, but for which the proceeds of the animal are used primarily for the use of the owner of the animal and not for commercial purposes. Any livestock animal kept on a premises where there are more than 10 total livestock animals shall be considered commercial livestock, regardless of the use of the animal’s proceeds.

Commercial Livestock: An animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor or the production of milk, eggs, manure, wool, or other animal-based products, for which the proceeds of the animal are used primarily for commercial purposes. Any livestock animal kept on a premises where there are more than 10 total livestock animals shall be considered commercial livestock, regardless of the use of the animal’s proceeds.

Exotic or Wild Animal: Any animal not commonly (in Michigan) domesticated, raised for slaughter, or used for agricultural purposes, especially animals that pose a clear and present danger to humans, including but not limited to big cats, venomous snakes, and large apes.

Architectural Feature: An integral element of a building that does not contain any discernable message.

Artwork: Any decorative element that is not integral to a building and does not contain an immediately discernable message.

Applicant. The property owner, or a person acting with the written and signed authorization of the property owner to make application under this Ordinance.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Basement: That portion of a building which is partially or totally below grade, but is so located that the vertical distance from the average grade to the floor below is greater than the vertical distance from the average grade to the ceiling. This definition shall not apply to earth- sheltered homes. A 'basement' shall not be counted as a story (see illustrations on pages 225 and 250).

Bed Room: A room designed or used in whole or part for sleeping purposes.

Berm: A continuous, raised earthen mound, with flattened top and sloped sides, capable of supporting live plant materials. See Landscaping.

Block: The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the Township, or any other barrier to the continuity of development.

Buildable Area: The area of a lot which is defined by the minimum setback requirements within which building construction is permitted by the terms of this Ordinance.

Buildable Area, Net: The net buildable area is that portion of a site that is not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for a use permitted in the district in which the site is located.

Building: Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animal **s,** or property or materials of any kind. A building shall not include such structures as signs, fences, or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers, or similar structures.

(a) Building, Permanent: A building which is permanently affixed to the ground with footings or a foundation and/or is permitted to exist for an indefinite period of time exceeding six (6) months.

(b) Building, Temporary: A building which is not permanently affixed to the ground and is permitted to exist for a specific reason for a specific period of time, such as during a construction project.

Building, Accessory: See Accessory Use, Building, or Structure.

Building, Principal: A permanent building or, where the context so indicates, a group of permanent building**s** (such as a school or office campus) which are built, used, designed or intended for the shelter or enclosure of the principal use of the parcel.

Building Envelope: See Buildable area.

Building height: The vertical distance measured from the established grade to the following. Ventilators, chimneys, and antennae shall not be considered part of the Building Height for purposes of this Ordinance.

(a) The highest point of the coping or parapet of a flat roof;

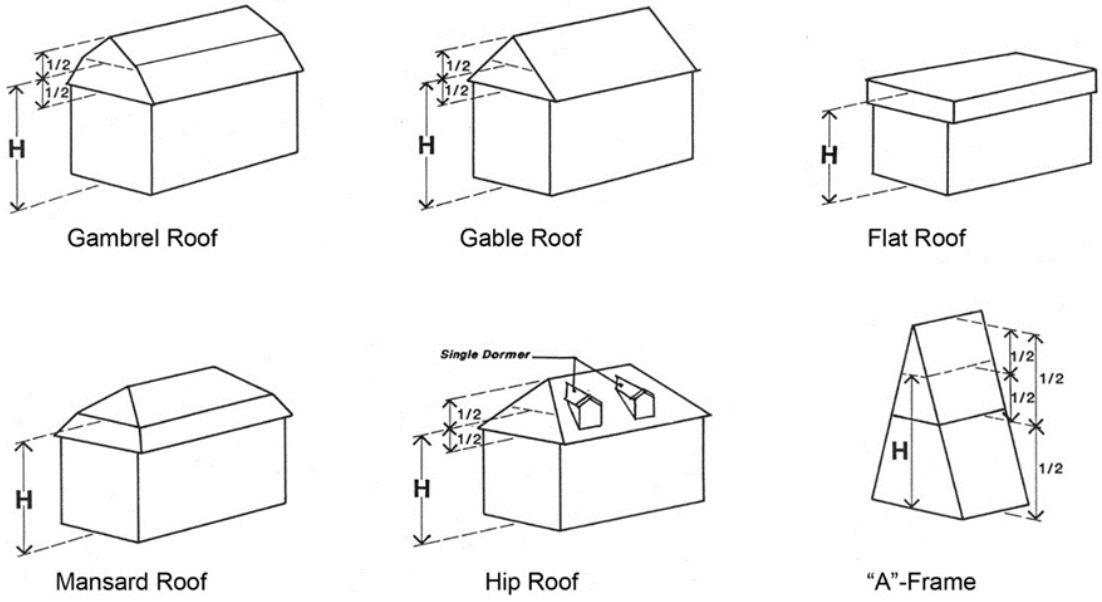
(b) The deck line of a mansard roof; or,

(c) The average height between the eaves and the ridge for a gable, hip, studio (shed), or gambrel roof (if the eaves are not even, then the height shall be the average height between the highest eave and the peak of the roof); or

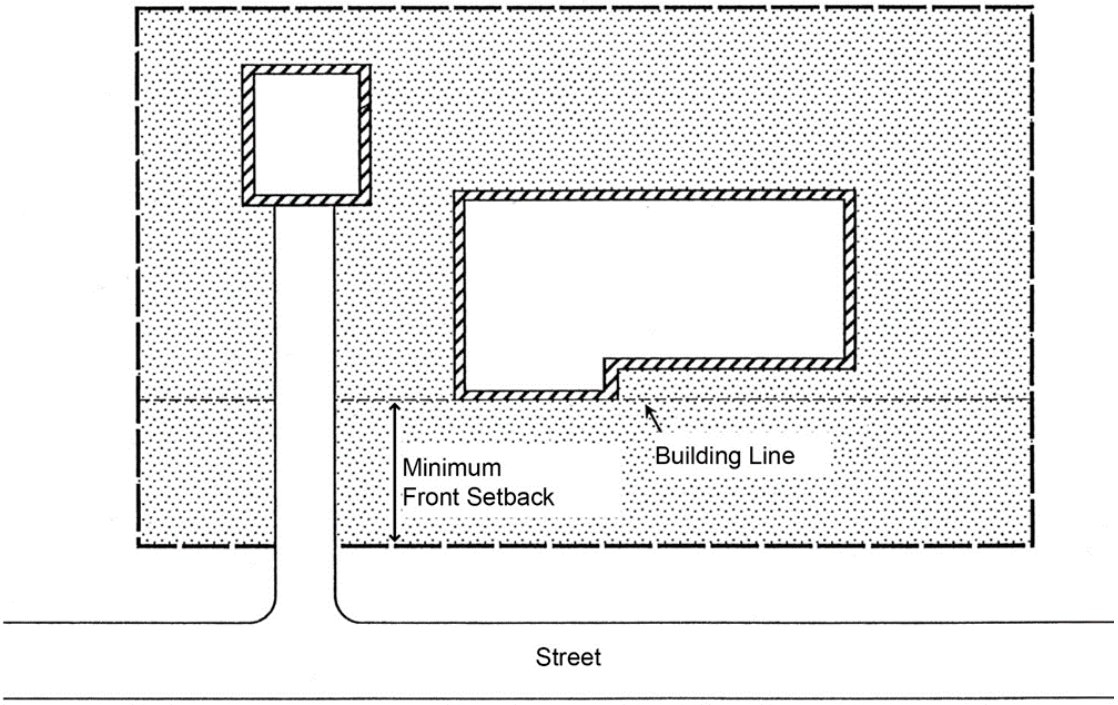
(d) Seventy-five percent of the height of an A-frame.

Building Height

H = Height of building



Building Line



Building Line: A line parallel to the front lot line at the minimum required front setback line.

Bulb (or **Lamp**): The source of electric light (to be distinguished from the whole assembly, which is called the luminaire). “Lamp” is often used to denote the bulb and its housing.

Bulk: The term used to indicate the size and setbacks of buildings and structures , including standards for the height and area of buildings; the location of exterior walls in relation to the lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

Campground: A plot of ground upon which two (2) or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

Candela (cd): A unit of luminous intensity. One candela is one lumen per steradian. Also known as one candlepower.

Child Day Care Home:

> **Family Child Day Care Home:** a private home (where the licensee permanently resides as a member of the household) with the approved capacity of 1 to 6 minor children to be cared for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children at a Family Childcare Home does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

Group Child Day Care Home: A private home with the approved capacity of 7 to 12 minor children for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

Childcare Center (Non-Home-Based): A facility, other than a private residence, receiving more than twelve (12) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a childcare center. "Childcare Center" or "Day Care Center" does not include instruction solely for religious purposes conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

Colocation. The location by two or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the intent to reduce the total number of structures required to support wireless communication antennas in the Township.

Commercial use: The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this Ordinance, 'commercial use' shall not include industrial or manufacturing businesses.

Curb Cut: The entrance to or exit from a property provided for vehicular traffic to or from a public or private road or highway.

Data Center: An enclosed facility housing servers and/or other computer equipment to store process and distribute digital data for electronic devices.

Deck: A raised platform, commonly constructed of wood, which does not have a roof and is typically attached to or abuts a house and used for outdoor leisure activities.

Density (Residential): The number of dwelling units per acre of land.

Gross Density: The number of units per acre of total land being developed.

Net Density: The number of units per acre of land not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures, lots, or other existing or proposed features that would prevent construction of a building or use of the site for a residential dwelling.

Detention Basin: A structure or facility, natural or artificial, which stores stormwater on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events. See also Retention Basin

Development: The construction of a new building, reconstruction of an existing building, or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.

District, Zoning: A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

Donation Bin: A donation bin is a closed container, typically constructed of metal, in which clothing, shoes, books, and/or other goods are placed by the public to be donated to charitable organizations or for recycling in other ways.

Driveway: A private lane, designed primarily for use by vehicles, which connects a house, garage, or other buildings with the road.

Dwelling Units: Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by a single-family. In no case shall a detached or attached accessory structure, travel trailer, motor home, vehicle, tent, or other temporary structure or vehicle be considered a 'dwelling'.

Easement: A right, created by an express or implied agreement, of one owner of land to make lawful and beneficial use of the land of another. A public easement is any easement enjoyed by the public in general, e.g., the right of the passage of the public over the surface of streets, alleys, highways, etc.

Enforcement Official: The Enforcement Official is the person or persons designated by the Township as being responsible for enforcing and administering requirements of this Zoning Ordinance. Throughout this Ordinance the Enforcement Official may be referred to as the Zoning Administrator, Zoning Administrator, Public Safety official, or their agents. Such titles do not necessarily refer to a specific individual, but generally the office or department most commonly associated with the administration of the regulation being referenced.

Erected: Any physical change on a site, including construction, reconstruction, or alteration of buildings or structures thereon. Excavation, fill, drainage, and the like shall be considered part of 'erection.'

Essential Services: The term *"*Essential Services*"* means the erection, construction, alteration or maintenance by public utilities or Eagle Township departments or commissions, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations and regulator buildings and other similar equipment and accessories in connection therewith (but not including any buildings *except those expressly referred to herein),* reasonably necessary for the furnishing of adequate service by such public utilities or Eagle Township departments or commissions or for the public health or safety or general welfare. This definition does not include towers or other buildings or structures intended specifically to service commercial wireless telecommunications such as cellular, personal communications services, specialized mobilized radio, enhanced specialized mobile radio, paging and similar services. This definition also does not include sales or business offices and commercial buildings or activities.

Excavation: The removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

Exception: An exclusion from the normal Zoning Ordinance rules and regulations for the purposes of permitting particular uses or structures which are considered essential or appropriate in certain locations or under certain conditions. A variance is not required for uses or structures which are permitted because of an exception.

Family: A collective number of individuals domiciled together in one dwelling whose relationship is of a permanent and distinct domestic character, with a demonstrable and recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single nonprofit housekeeping unit.

Family Daycare Home: A private home in which one but not more than six children are received for child day care, including a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.

Farm: The term "farm" shall have definition given to it in the Michigan Right to Farm Act. At the time of the adoption of this Ordinance, that definition was as follows: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Foot-candle: Illuminance produced on a surface one foot from a uniform point source of one candela or when one lumen is distributed into an area of one square foot.

Fence: An artificially constructed barrier of wood, wire, metal or any other manufactured material or combination of materials, used to prevent or control entrance, confine within, or mark a boundary. Plant material shall always be considered landscaping, not a fence.

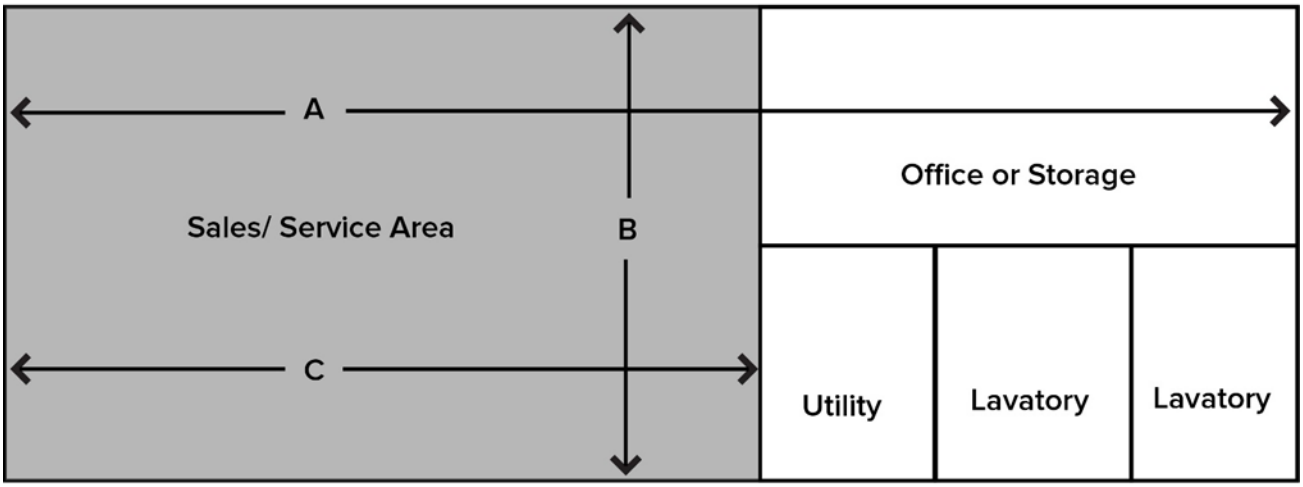
Fill, Filling: The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

Flag Lot: See Lot, Flag.

Floodplain: Any land area susceptible to being inundated by floodwaters when high amounts of precipitation are experienced or natural cyclic conditions raise the water levels.

Floor Area, Gross: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage, measured from the exterior faces of the exterior walls.

Floor Area Terminology



Gross Floor Area = A x B
Useable Floor Area = B x C

Note on Graphic: All Dimensions measured to exterior faces of exterior walls.

Floor Area, Net: See ***Floor Area, Usable Residential,*** and ***Floor Area, Usable Nonresidential***.

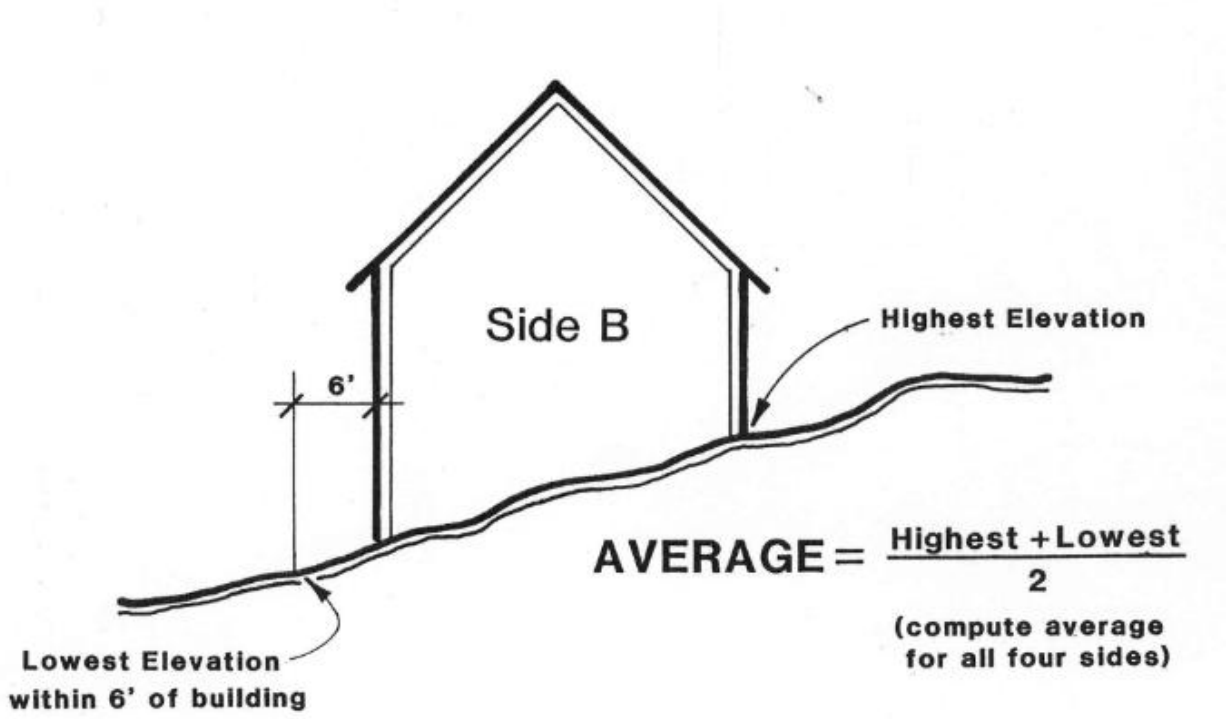
Floor Area, Usable Residential: The gross floor area minus areas in basements, unfinished attics, attached garages, and enclosed or unenclosed Porches.

Floor Area, Usable Nonresidential: The gross floor area, minus the area used for or intended to be used for storage, hallways, vestibules, elevators, stairs, mechanical equipment, sanitary facilities or for utilities (see illustration).

Garage or Yard Sale: A temporary retail use located on a lot otherwise used for residential purposes.

Garbage: Discarded items, including but not limited to organic refuse and rejected food waste; ashes, i.e. the residue left from burning of paper, leaves, weeds, wood and coal; kitchen rubbish, i.e. all types of food containers and wrappings, including cans, bottles, jars, broken glass, crockery, paper, plastic, wood and metal objects; household rubbish, i.e. all types of household materials commonly discarded such as newspapers, magazines, books, wrappings, cartons, boxes, crates, excelsior, rags, clothing, bedding, floor covering, wallpaper, leather objects and sweepings.

Grade: The term 'grade' shall mean the ground elevation established for the purpose of regulating the number of stories or height of a building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the highest point adjacent to the building and the lowest point within six feet of the building. The Zoning Administrator shall be the entity responsible for determining the grade and determining compliance with this Ordinance.



Group Daycare Home: A private home in which more than six but not more than 12 minor children are received for child day care, including a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.

Hazardous Uses: Any activity which is or may become injurious to public health, safety, or welfare or the environment. Hazardous uses include but are not limited to all uses which involve the storage, sale, manufacture, or processing of materials which are dangerous or combustible and are likely to burn immediately, and from which either poisonous fumes or explosions are to be anticipated in the event of fire. These uses include all high hazard uses listed the State Building Code, as amended.

Home-Based Business: An occupation or profession undertaken entirely within a dwelling unit by one or more resident occupants of that dwelling unit. A “Home-Based business” must be clearly secondary to the use of the dwelling unit for residential purposes.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including but not limited to asphalt, concrete, and all building roofs. Pervious pavement, structures that permit water to run between the slats, and gravel surfaces shall not be considered impervious surface.

Ingress and Egress: As used in this Ordinance, ‘ingress and egress’ generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a parcel of property, a building, or another location.

Junk: Any motor vehicles, machinery, appliances, products or merchandise with parts missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

Kennel, Boarding: Any lot or premises where three or more dogs or cats over six months of age are boarded and/or trained for compensation.

Kennel, Breeding: Any lot or premises where three or more dogs or cats are owned, kept, or harbored for the purpose of breeding for commercial gain.

Kennel, Rescue/Foster/Personal: Any lot or premises, where more than three dogs are owned or kept, and for which commercial gain is not the primary objective.

Kitchen: Any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or gas utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen – any room with these shall be considered a kitchen, and any room without shall not be considered a kitchen.

Loading Space, Off-Street: An off-street space which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

Lot: A tract of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A ‘lot’ may or may not be specifically designated as such on public records.

Lot Area, Net: The portion of the gross lot area excluding private and public road rights-of-way and area of any ponds, lakes or permanently submerged lands in excess of one (1) acre in size The ‘net lot area’ shall be used in determining compliance with Minimum Lot Area standards.

Lot Area, Gross: The total area of land contained within the boundaries of a lot.

Lot, Contiguous: Lots adjoining each other.

Lot, Corner: A lot abutting on and at the intersection of two or more streets, provided that the streets intersect at an angle of not more than 135 degrees. For the purposes of this definition, the 'street lot line' shall be the line separating the lot from the street or road right-of-way.

Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than 135 degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above (see illustration in definition of Lot Width). A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner.

Lot Coverage: The part or percent of a lot that is occupied by impervious surface, as defined in this Ordinance. Pervious pavement and gravel surfaces shall not be considered impervious surface.

Lot Depth: The horizontal distance between the front lot line and rear lot line, measured along the median between the side lot lines.

Lot, Double Frontage (or Through Lot): A lot, other than a corner lot, having frontage on two streets. In the case of a row of double frontage lots, one street shall be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing building in the same **block** fronting on one or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front.

Lot, Flag: A **Lot** located behind other parcels or lots fronting on a public road, but which has a narrow extension providing access to the public road. For the purposes of this Ordinance, the extension, which provides access to the buildable portion of the lot, shall comply with the lot width standards for the district in which the lot is located.

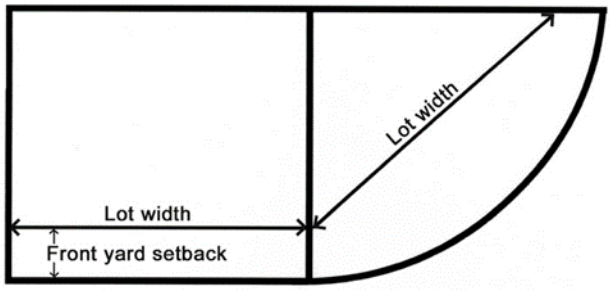
Lot, Interior: Any lot, other than a corner lot, with only one lot line fronting on a street.

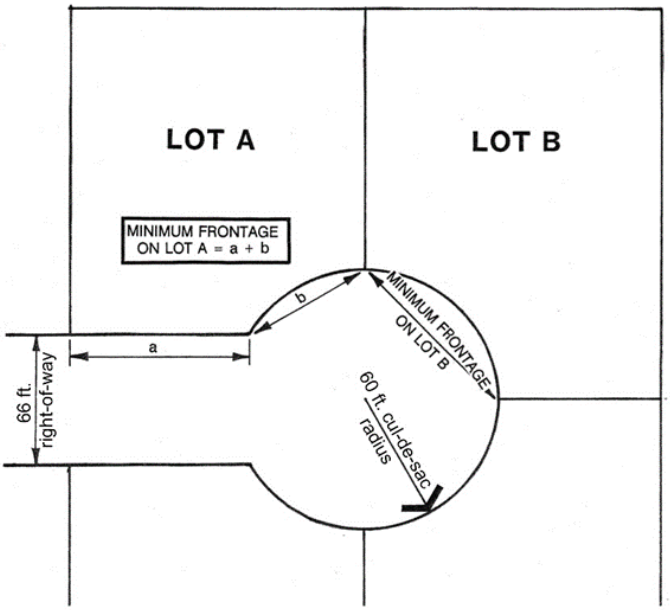
Lot Lines: The lines bounding a lot as follows:

> **Front Lot Line:** The line separating said lot from the public or private road right-of-way. In the case of a corner lot or double frontage lot, the 'front lot line' shall be that line that separates said lot from the right-of-way for the road which is designated as the front on the plat, or which is designated as the front on the site plan review application or request for a building permit. On a flag lot, the 'front lot line' shall be the interior lot line most parallel to and nearest the street from which access is obtained.
>
> **Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of irregular, triangular, wedge-shaped, or lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, 10 feet in length, lying farthest from the front lot line and wholly within the lot.
>
> **Side Lot Line:** Any lot line other than the front or rear lot lines. A side lot line separating a lot from a road right-of-way is a side street lot line. A side lot line separating a lot from another lot, or lots is an interior side lot line.
>
> **Waterfront Lot Line:** Any lot line that abuts Lake Michigan or an inland body of water, regardless of whether the lot line meets the definition of Front, Rear, or Side Lot Line.

Lot of Record: A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Clinton County Register of Deeds and Township Treasurer, or a **Lot** or parcel described by metes and bounds, and accuracy of which is attested to by a land surveyor registered and licensed in the State of Michigan and is recorded with the Clinton County Register of Deeds and Township Treasurer.

Lot Width: The straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines..





Lot Split or **Lot Consolidation:** The dividing or uniting of lots by virtue of changes in the deeds in the office of the Clinton County Register of Deeds and the Township Treasurer.

Manufactured Housing: A building or portion of a building designed for long-term residential use and characterized by all of the following:

(a) The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended; and

(b) The structure is designed to be transported to the site in a nearly complete form, where it is placed and attached to a foundation consisting of an approved crawl space or basement and connected to utilities; and

(c) The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building that complies with Michigan Building and Energy codes.; and

Master Plan: The most recent Master Plan document adopted by the Township Board, in accordance with the Michigan Planning Enabling Act.

Mineral Resource Extraction: The removal or recovery from a given lot by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged, and provision of those materials to another party for financial consideration. Said definition does not include common household gardening, agricultural operations, construction of roadways, driveways, structures, or site improvements.

Multiple Family Housing (or Multi-Family Housing): A building or complex of multiple buildings where each building contains at least two dwelling units. buildings or complexes designed for senior housing, but not including assisted living, shall be considered “multi-family housing” for purposes of this Ordinance.

Municipality: Eagle Township, Clinton County, Michigan.

Natural Resources: Natural resources shall include land, soils, wetland**s**, floodplain**s**, surface and ground water, topography, trees and other types of vegetative cover, subsurface strata, geologic formations, animal life, and naturally occurring substances and living organisms that can be useful to people. Natural resources are of two types: renewable (e.g., plants and trees) and nonrenewable (e.g., mineral resources). Natural resources may also be referred to as ‘natural features’ in this Ordinance.

Nonconformity: Any structure, lot, or use of any lot, land or structure, which does not conform at the time of adoption of this Ordinance or any amendment thereto, to the regulations for the district in which it is located. Additionally, for the purposes of non-conformities, the following terms shall have the following definitions:

Effective Date. Whenever this article refers to the "effective date," the reference shall be deemed to include the effective date of any amendments to this Ordinance if the amendments created a nonconforming situation.

Nonconforming Building or Nonconforming Structure. A building, structure, or portion thereof that does not meet the limitations on building size, location on a lot, or other regulations for the district in which such building or structure is located.

Nonconforming Lot. A lot existing at the effective date of this Ordinance, or amendments thereto, that does not meet the minimum area or dimensional requirements of the district in which the lot is located.

Nonconforming Sign. A sign that on the effective date of this Ordinance does not conform to one or more regulations set forth in the Ordinance.

Nonconforming Use. A use which was lawfully in existence at the effective date of this Ordinance, or amendment thereto, and which does not now conform to the use regulations of this Ordinance for the zoning district in which it is now located.

Structural Nonconformity. A nonconformity that exists when the height, size, or minimum floor space of a structure, or the relationship between an existing building and other buildings or lot lines, does not conform to the standards of the district in which the property is located. Also sometimes referred to as a *Dimensional Nonconformity*.

Nuisance: Any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. 'Nuisance' commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endangers life and health.

Occupancy, Change of: A discontinuance of an existing use, as defined by the Michigan Building Code, and the substitution of a use of a different kind or class, or, the expansion of a use.

Occupied: Used in any way at the time in question.

Open Air Business: Any commercial use that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.

Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.

Outdoor display and sale of garages, swimming pools, playground equipment, and uses.

Open Space: Any parcel or area of land or water that is generally free of structures and that is set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. 'Open space' may be required for recreation, resource protection, aesthetics, or other purposes.

Open Space, Usable: Open Space that is accessible to a majority of residents in a development for recreation or leisure activities. Examples of 'usable open space' include, but are not limited to, open fields and woodlands. Swamps or marshes are not generally considered usable open space, except as specifically exempted elsewhere in this Ordinance.

Ordinary High Water Mark (OHWM): "Ordinary High Water Mark", as used in this Ordinance, shall have the definition given to it by the State of Michigan for the body of water in question.

Parcel: A continuous area, tract, or acreage of land that has not been subdivided according to the provisions of the Subdivision Control Act and that has frontage on a public or private street.

Parking Lot, Off-Street: An area on private property that provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than three vehicles.

Parking Space: An area of definite length and width as designated in this Ordinance for parking a vehicle and which is fully accessible for such purposes.

Perc Test or **Percolation Test:** A test designed to determine the ability of ground to absorb water and used to determine the suitability of a soil for drainage or for the use of a septic system.

Performance Guarantee: A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and approved plans and specifications of the development.

Pervious Surface: A surface that permits full or partial absorption of storm water, including but not limited to grass, dirt, mulch, gravel, decks with space between the slats, and pervious pavers.

Pervious Pavement: Pavement (including concrete or asphalt) with a base and/or sub-base that allows the movement of stormwater through the pavement to reduce water runoff.

Planning Commission: The Planning Commission of Eagle Township.

Plat, Subdivision: The division of a tract of land for the purpose of sale, lease or building development, in accordance with Subdivision Control Act, Michigan Public Act 288 of 1967, as amended, or any successor thereto, and subdivision control regulations as may be adopted by the Township.

Plot Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and all salient features required to adequately evaluate whether the approvals sought by an applicant are in compliance with this Ordinance.

Pond: A manmade excavation or impoundment of surface water designed to retain or detain water.

Pond, Detention: A low lying area that is designed to temporarily hold a set amount of water while slowly draining to another location.

Pond, Retention: A low lying area that is designed to hold a set amount of water indefinitely.

Porch: A raised platform with or without railings and covered by a roof, which is attached to a building but is outside of its enclosing walls .. A Porch without a roof is considered a “Deck” for the purposes of this Ordinance.

Property Line: The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from adjacent parcels. See also Lot line.

Public Safety Official: Public Safety Official refers generally to the departments or persons who perform police, fire fighting, and other public safety functions for the Township.

Public Utility: Any persons, firm, corporation, municipal department, or board, duly authorized to furnish under federal, state, or local regulations a service which is of public consequence and need. The principal distinctive characteristics of a public utility are that: (1) because of the nature of its business, it has characteristics of a natural monopoly, and (2) it provides a service to an indefinite public (or portion of the public) which has a legal right to demand and receive its services.

Real Property: Includes the surface, whatever is attached to the surface (such as buildings or trees), whatever is beneath the surface (such as minerals), and the area above the surface, i.e., the sky.

Reception Antenna: An apparatus installed out-of-doors which is capable of receiving communications for radio and/or television purposes, including satellite reception antennas, but excluding such facilities that have been preempted from Township regulation by applicable state or federal laws or regulations.

Recreational Vehicle: A class of vehicle which shall include the following:

Travel Trailer: A portable vehicle on a chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a "travel trailer" by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.

Pickup Camper: A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.

Motor Home: A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.

Folding Tent Trailer: A folding structure, mounted on wheels and designed for travel and vacation use.

Boats, Boat Trailers: Boats, floats, rafts, canoes, etc., plus the normal equipment used to transport them on the highway.

Other Recreational Equipment: Snowmobiles, all terrain or special terrain vehicles, utility trailers, etc., plus the normal equipment to transport them on the highway.

Park Model: Vehicles designed to look like a permanent dwelling unit.

Rezoning. The amendment of this Ordinance to change the Zoning Map classification on property from its existing district to a new district classification.

Right-of-Way: The strip of land over which an easement exists to allow facilities such as streets, roads, highways, and power lines to be built.

Road or Street: Any public or private thoroughfare or Right-of-Way, other than a public or private alley, dedicated to or designed for travel and access to any land, lot or parcel whether designated as a thoroughfare, road, avenue, highway, boulevard, drive, lane, place, court, or any similar designation. Various types of roads are defined as follows:

> **Private Road or Street**: Any Road or Street that is privately maintained and has not been accepted for maintenance by the Clinton County Road Commission, the State of Michigan or the federal government, but is subject to approval by the Township.
>
> **Public Road or Street:** Any Road or Street or portion thereof which has been dedicated to and accepted for maintenance by the Clinton County Road Commission, State of Michigan or the federal government. For the purposes of funding, public roads are classified as either County Primary Roads or County Local Roads, pursuant to Michigan Public Act 51 of 1951, as amended. The County Primary Roads are those selected by the board of county road commissioners and certified to the Michigan Department of Transportation as being of greatest general importance to the county. All roads not included in the County Primary system shall constitute and be the County Local Road system.

Roof Line: The top edge of a roof or Building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

Room: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least 80 square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3 bedroom units and including a den, library, or other extra room shall count such extra room as a bed room for the purpose of computing density.

Semi-Trailer: A trailer, which may or may not be enclosed, having wheels generally only at the rear and supported in front by a truck tractor or towing vehicle.

Setback: The horizontal distance between any lot line and the nearest part of a structure on a lot. The ‘minimum required setback’ is the minimum distance between a front, side or rear lot line and the nearest part of a structure in order to conform to the required yard setback provisions of this Ordinance (see Yard).

Shipping Container: A standardized reusable container that is or was originally designed for packing, shipping, movement, or transportation of freight, articles, goods, commodities.

Sign: Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk alley, park, or public property, but not signs which are primarily directed at persons within the premises upon which the sign is located.

Accessory Sign: An on-premise sign which pertains to the use of the premises on which it is located.

Animated Sign: A sign that uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning or Canopy Sign: A sign which is made of non-rigid material such as heavy canvas that is supported by a framework, which is attached to a building's substrate. An awning sign extends outward from the building and so provides shaded cover and protection from weather for customers and pedestrians.

Balloon Sign: A balloon sign is an inflatable device, regardless of size, that is designed for use as an on-premise advertising device for a commercial promotional event.

Banner Sign: A sign made of fabric, cloth, paper, or other non-rigid material.



Banner Sign

Billboard: A sign over 72 square feet in area and separate from a premises, erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located.

Changeable Copy Sign (Manual): A sign, which has a reader board for the display of information (e.g., text, alphanumeric characters, graphics or symbols) which is changed manually.

Directional Sign: An on-premise sign which is located and sized in a manner to safely and efficiently direct the flow of vehicular and pedestrian traffic to, from, and within a development site.

Electronic Display Signs: A sign that uses changing lights to form a sign message or messages in text or graphic or video display form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic process.

Feather Sign: A feather banner is a type of banner sign comprised of a metal or plastic frame, pole, and/or base to which a vinyl, nylon, canvas or polyester fabric sign face is attached (see illustration).



Festoon: A string of ribbons, tinsel, small flags, pennants, pinwheels or lights, typically strung overhead in loops.

Flag: A sign made of cloth, fabric, or other durable, flexible material and attached to a permanent or temporary conforming pole.

Flashing Sign: A sign that contains an intermittent or sequential flashing light source. Electronic Display Signs, as defined herein, shall not constitute a flashing sign for the purpose of this ordinance.

Freestanding Sign: Any on-site sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure, including the following:

(a) Pole Sign: A type of freestanding sign that is elevated above the ground on poles or braces.

(a) Monument Sign: A three-dimensional, self-supporting, base-mounted freestanding sign, consisting of two (2) or more sides extending up from the base, and upon which a message is painted or posted. A monument sign may also consist of a base-mounted cylindrical structure upon which a message is painted or posted.

Illuminated Sign: Any sign which contains a mechanism that emits artificial light, including the following:

(a) Externally Illuminated Sign: Any sign with lights designed for illumination and not located within the sign itself.

(b) Internally Illuminated Sign: Any sign with lights designed for illumination from within the sign itself.

Inflatable Sign: A sign consisting of flexible material or fabric that takes on a three-dimensional shape when filled with a sufficient volume of air or other gas. Inflatable signs are commonly used as temporary signs to draw attention to a site.



Interior Sign: A sign placed within a building, but not including a window sign as defined herein, that is not visible from any public street, sidewalk, **alley**, park, or public property.

Moving Sign: Any sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" and a “revolving sign” are types of moving signs. Such motion does not refer to the method of changing the message on the sign.

Nonconforming Sign:

(a) A sign which is prohibited under the terms of this Ordinance but was Erected lawfully, with a permit and was in use on the date of enactment of this Ordinance, or amendment thereto.

(b) A sign which does not conform to the requirements of this Ordinance, but for which a variance has been granted.

Permanent Sign: Any sign constructed and intended to be displayed for an indefinite, long-term period of time. Any sign, regardless of construction and intention, that is in place for more than six months shall be considered a permanent sign.

Portable Sign: A sign designed to be moved easily and not permanently affixed to the ground or to a structure. This also includes signs worn or carried by a person.

Portable Message Center Sign: A sign designed to be transported easily and not permanently affixed to the ground or to a structure. A portable message center sign includes a manual and electronic changeable copy sign, an electronic graphic display sign, a video display sign or multi-vision/tri-vision sign that may be displayed or affixed to a movable object such as but not limited to a car, truck, trailer or similar transportation device. The following are examples of portable message center signs:





Projecting Sign: A sign, other than a flat wall sign, that projects from the face of the building or structure upon which it is located and is designed to attract the attention of drivers. A projecting roof sign is one that projects beyond the face or exterior wall surface of the building upon which the roof sign is mounted. A projecting sign is not a projecting sign, as defined herein.





Setback, Sign: The distance from the lot line to the nearest part of a sign structure.

Temporary Sign: A sign not constructed or intended to be in place for more than 90 days.

Vehicle Signs: Signs painted or mounted on the side of a vehicle, including signs on the face of a truck trailer. Vehicle signs do not include Portable Message Center Signs.

Wall Sign: A sign painted on, incorporated in or attached directly to the exterior wall of a building, with the exposed face of the sign in a plane parallel to the building wall, and projecting no more than twelve (12) inches from the wall face. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall also be considered wall signs.



Wall Sign Window Sign

Window Sign: A temporary sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall be considered wall signs. Temporary signs affixed to a window for more than thirty (30) days shall be considered wall signs.

Sign Height: The distance from the grade at the bottom of a sign to the upper-most point of the sign. If the sign is located on a Berm, the height of the Berm shall be included in the height of the sign.

Single-family Dwelling Unit: A room, or rooms, within one independent structure, connecting together constituting a separate, independent dwelling unit for one family.

Special Event: An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a non-profit Eagle Township community group, organization, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment. Special events typically run for a short period of time (less than two weeks) and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Special Land Use/Special Use: Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district or districts. After due consideration of the impact of each such proposed use upon the neighboring land and of the public need for the particular use at the proposed location, such special land uses may be permitted following review and approval subject to the terms of this Ordinance.

Spirits: Any beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, including wine containing an alcoholic content of more than 21% by volume, except for sacramental wine and mixed spirit drink.

State-Licensed Residential Facility (Non-Daycare): Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Childcare Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including adult foster care facilities**,** foster family homes**,** foster family group homes**,** family day care homes**,** and group day care homes**.**

(a) Adult foster care: The provision of supervision, personal care, and protection, in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.

(i) *Adult foster care facility:* A residential structure that is licensed to provide adult foster care**,** but not continuous nursing care, for unrelated adults over the age of 17. An 'adult foster care facility' does not include any of the following: a licensed child caring institution, children's camp, foster family home**,** or foster family group home; an alcohol or substance abuse rehabilitation center; a residential facility for persons released from or assigned to adult correctional institutions; a maternity home; a hotel or rooming house that does not provide or offer to provide foster care; or a veterans' facility.

(ii) *Adult foster care family home:* A private home with the approved capacity to receive not more than six adults to be provided with adult foster care.

(iii) *Adult foster care small group home:* An adult foster care facility with the approved capacity to receive not more than 12 adults.

(iv) *Adult foster care large group home:* An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults.

(v) *Adult foster care congregate facility:* An adult foster care facility with the approved capacity to receive more than 20 adults.

(c) Child foster care: The care and supervision for 24 hours a day, for four or more days a week, and for two or more consecutive weeks, of minor children who are not related to an adult member of the household by blood or marriage, are not placed in the household under the Michigan adoption code and are unattended by a parent or legal guardian.

(i) *Foster family home:* A private home in which one but not more than four children are provided with child foster care.

(ii) *Foster family group home:* A private home in which more than four but not more than six children are provided with child foster care.

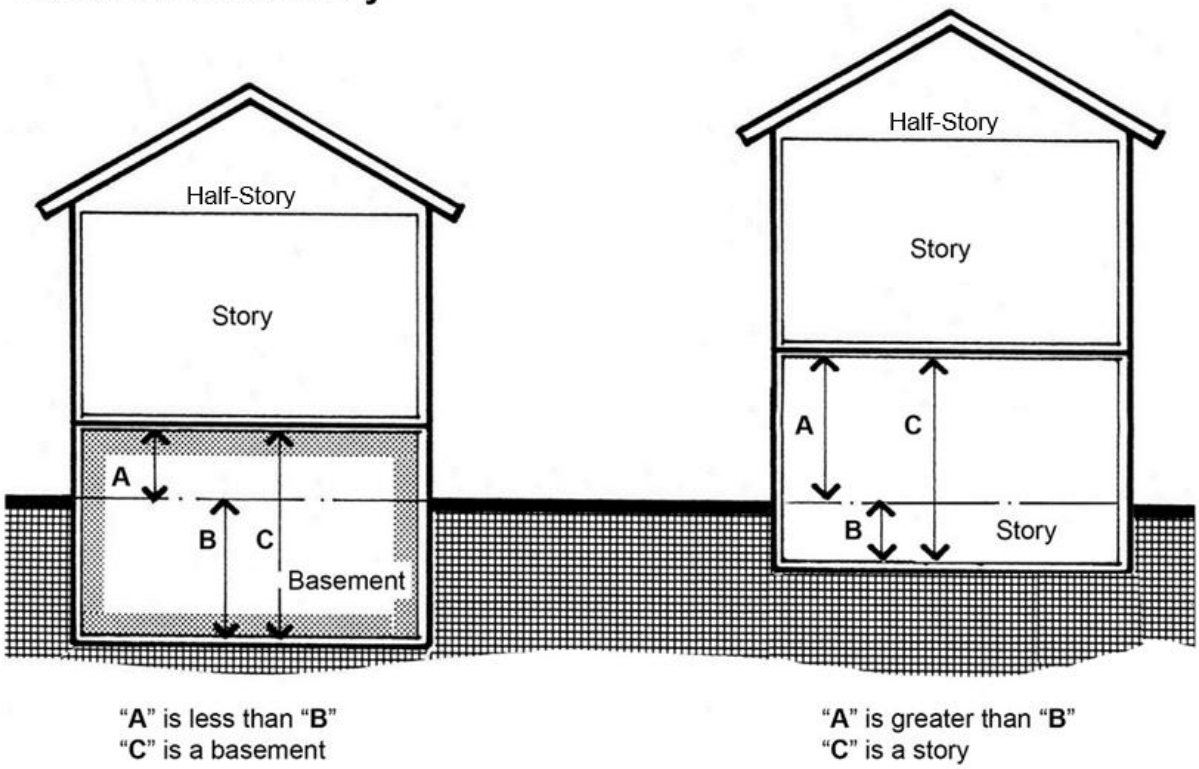
(d) Private home: For the limited purpose of defining a state-licensed residential facility**,** a 'private home' means a private residence in which the facility licensee or registrant permanently resides as a member of the household.

Story: That portion of a building, other than a basement as defined herein, included between the upper surface of any floor and the upper surface of the floor or roof next above it.

A mezzanine shall be deemed a full story when it covers more than one-third of the area of the story underneath, or, if the vertical distance from the floor next below the mezzanine to the floor above it is 24 feet or more.

A basement shall be deemed a full story when the vertical distance from the average grade to the floor below is less than the vertical distance from the average grade to the ceiling.

Basement and Story



Story, Half: The uppermost story lying under a roof, the usable floor area of which does not exceed two-thirds of the floor area of the uppermost full story. The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven feet, six inches.

Street: See Road.

Street Lot Line: A dividing line between the street and a lot, also known as the right-of-way line.

Structural Alteration: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Structure: Anything constructed or Erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include, but are not limited to, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennae, swimming pools, and signs. Not all structures shall be considered impervious surface – see definition of "surface, permeable." A simple concrete pad, including, but not limited to, a sidewalk or driveway, shall not be considered a structure.

Swimming Pool: Any permanent, non-portable structure or container located either above or below grade designed to hold water to a depth of greater than 24 inches, intended for swimming or bathing.

Temporary Use or Building: A use or building permitted to exist for a limited period of time under conditions and procedures as provided for in this Ordinance.

Township: Eagle Township, Clinton County, Michigan.

Township Board: The Supervisor, Clerk, Treasurer, and Trustees of Eagle Township, Clinton County, Michigan.

Tube Lights: Any light fixture that has the appearance of a "tube" of light, including neon, LED, fluorescent, or other lighting types. This definition shall not include words or images made up of tubes of light.

Use: The purpose for which land, lots, or buildings thereon is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

> **Use, Accessory:** See *Accessory Use, Building, or Structure*.
>
> **Use, Permitted:** A use which may be lawfully established in a particular district or districts provided it conforms to all requirements, regulations, and standards of such district.
>
> **Use, Principal:** The main use of land and buildings and the main purpose for which land and buildings exist.
>
> **Use, Special Land**: See *Special Land Use*.

Variance: A modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals when strict enforcement of the Zoning Ordinance would cause practical difficulties owing to circumstances unique to the individual property on which the variance is granted.

Vehicle: Unless specifically indicated otherwise, 'vehicle' shall mean any vehicle including by way of example, cars, trucks, vans, motorcycles, boats, and the like.

Vendor: Any person or persons engaging temporarily in the retail sale of goods, wares, or merchandise involving the display, sale, offering for sale, offering to give away, or giving away of anything of value including any food, beverage, goods, wares, merchandise, or services.

Wetland: Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and which is commonly referred to as a bog, swamp, or marsh. A wetland is further characterized by the presence of hydric soils and prevalence of aquatic vegetation (hydrophytes) typically adapted for life in saturated soil conditions. A wetland that exhibits these characteristics may be dry on the surface during part or all of the year.

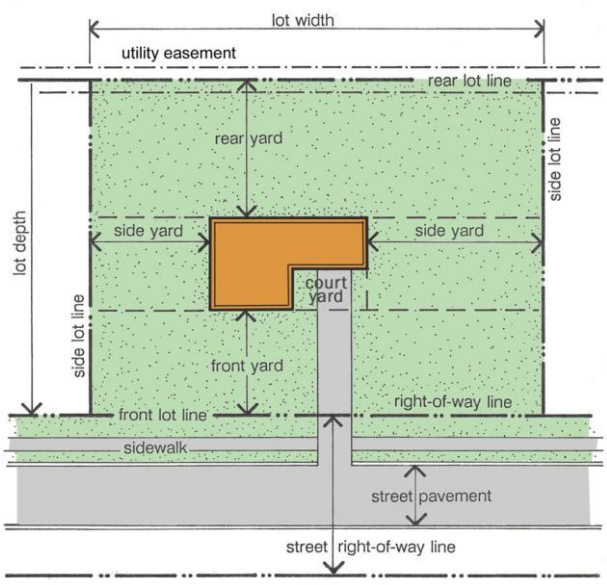
Yard: An open space on the same lot with a building. The 'minimum required setback' is the minimum depth of a front, rear or side yard necessary to conform to the required yard setback provisions of this ordinance (see illustrations).

Yard, Front: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the principal building. Unless otherwise specified, on corner lots and through lots, the front yard shall be defined as the yard adjacent to the front lot line.

Yard, Rear: An open space extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest line of the principal building. On corner lots, the rear yard shall be opposite the front yard.

Yard, Side: An open space between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.

Yard, Interior Side/Street Side: A side yard that abuts an adjacent lot (in contrast to a 'street side yard', which abuts a street or road right-of-way).



Article 18 Severability, Repeal, Effective Date, Adoption

Section 18.01 Severability

(A) This Ordinance and the various parts, sentences, paragraphs, sections and clauses it contains are hereby declared to be severable. Should any part, sentence, paragraph, section or clause be declared unconstitutional or invalid by any court for any reason, such judgment shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

(B) Furthermore, should the application of any provision of this Ordinance to a particular property, building, or structure be adjudged invalid by any court, such judgment shall not affect the application of said provision to any other property, building, or structure in the Township, unless otherwise stated in the judgment.

Section 18.02 Effective Date

Made and passed by the Township Board of Eagle, Clinton County, Michigan, on December 21, 2023, and effective on January 1, 2024, with amendments effective March 21, 2024, May 16, 2024, and August 15, 2024.

Section 18.03 Adoption

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the Township Board of Trustees.

(A) Public hearing by Planning Commission: December 8, 2023

(B) Recommendation of Planning Commission to approve the Zoning Ordinance text to the Township Board: December 8, 2023

(C) Township Board adoption of the Zoning Ordinance text and map: December 21, 2023

(D) Date the Ordinance text and map shall take effect: January 1, 2024, with amendments effective March 21, 2024, May 16, 2024, and August 15, 2024.

Troy Stowell — Supervisor — Date: 12/21/23

I, Laurie Briggs Dudley, Clerk of Eagle Township, Clinton County, Michigan, hereby certify that notice of adoption of the foregoing ordinance was published pursuant to the provisions of Michigan Public Act 110 of 2006, as amended, in a newspaper of general circulation in Eagle Township on Dec 28, 2023

Laurie Briggs Dudley — Township Clerk — Date: 12/28/23

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EAGLE TOWNSHIP
CLINTON COUNTY

RESOLUTION NO. 02-17-2026-05

A RESOLUTION ADOPTING AN ORDINANCE AMENDING THE INTERIM ZONING ORDINANCE

At a meeting of the Township Board for the Township of Eagle, Clinton County, Michigan, held on the 17th day of February, 2026, at 6:00 p.m., at the Township Hall, 14318 Michigan Street, Eagle, Michigan.

PRESENT: Supervisor Stroud, Clerk Briggs-Dudley, Treasurer C. Hoppes, Trustee Currie, Trustee M. Hoppes

ABSENT: None

The following preamble and resolution were offered by Clerk Briggs-Dudley and seconded by Treasurer C. Hoppes.

WHEREAS, the Michigan Zoning Enabling Act ("MZEA"), 2006 PA 110, authorizes local units of government to regulate the use of land by zoning ordinance to promote public health, safety, and welfare; and

WHEREAS, Section 404 of the MZEA authorizes local units of government to adopt an interim zoning ordinance during the period required for the preparation and enactment of an initial zoning ordinance;

WHEREAS, pursuant to Section 404 of the MZEA, local units of government may amend an interim zoning ordinance;

WHEREAS, pursuant to Section 404 of the MZEA, the planning commission of a township shall submit recommendations for amendments to an interim zoning ordinance to the county planning commission;

WHEREAS, pursuant to Section 404 of the MZEA, an interim zoning ordinance or amendment is considered approved 15 days from the date it is submitted to the legislative body;

WHEREAS, pursuant to Section 404 of the MZEA, after approval of an interim zoning ordinance or amendment, the legislative body, by a majority vote of its members, may give the interim zoning ordinance or amendment immediate effect;

WHEREAS, the Township Board of Eagle Township ("Township Board") adopted an interim zoning ordinance (the "Interim Zoning Ordinance") on December 21, 2023; and

WHEREAS, on December 18, 2025, pursuant to the MZEA, the Township Board extended the Interim Zoning Ordinance through December 31, 2026; and

WHEREAS, on January 27, 2026, the Eagle Township Planning Commission ("Planning Commission") met and discussed an amendment to the Interim Zoning (the "Amendment"); and

WHEREAS, the Planning Commission simultaneously submitted the amendment to the to the Clinton County Planning Commission for review in accordance with the MZEA and the Township Board on February 3, 2026; and

WHEREAS, pursuant to Section 404 of the MZEA, the Amendment is considered approved 15 days from submittal to the Township Board; and

WHEREAS, 15 days from submittal to the Township Board is February 18, 2026; and

WHEREAS, the Township Board has reviewed the Amendment and determines it is in the best interests of the health, safety and welfare of the residents of the Township to give the Amendment, as described in **Exhibit A** immediate effect.

NOW, THEREFORE, the Township Board of the Township of Eagle resolves as follows:

1. Ordinance No. 01-2026, An Ordinance Amending the Interim Zoning Ordinance (the "Ordinance") (attached hereto as **Exhibit A**), approved February 18, 2026, shall be filed with the Township Clerk and shall be immediately effective on February 18, 2026.

2. The Clerk shall publish a notice of adoption of the Ordinance, substantially similar to the attached **Exhibit B**, within 15 days of adoption.

3. Any resolution that conflicts with this Resolution is repealed, but only to the extent necessary to give this Resolution full force and effect.

A vote on the above Resolution was taken and was as follows:

ADOPTED:

YEAS: Treasurer C. Hoppes, Trustee Currie, Trustee M. Hoppes, Clerk Briggs-Dudley, Supervisor Stroud

NAYS: None

STATE OF MICHIGAN)
) ss.
COUNTY OF CLINTON)

I, the undersigned, the duly qualified and acting Clerk of the Township Board of the Township of Eagle, Michigan, CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a meeting held on the 17th day of February, 2026.

Laurie Briggs Dudley

Laurie Briggs-Dudley, Township Clerk

CERTIFICATE

I hereby certify that:

1. The above is a true copy of Ordinance No. 01-2026 adopted by the Eagle Township Board at a duly scheduled and noticed meeting of that Township Board held on February 17, 2026, pursuant to the required statutory procedures.
2. A summary of Ordinance No 01-2026 was duly published in the Lansing State Journal newspaper, a newspaper that circulates within Eagle Township, on February 20, 2026.
3. Within 1 week after such publication, I recorded Ordinance No 01-2026 in a book of ordinances kept by me for the purpose, including the date of passage of the ordinance, the name of the members of the township board voting, and how each member voted.
4. Within 15 days after adoption of Ordinance 01-2026, I filed an attested copy of said Ordinance with the Clinton County Planning Commission and Clinton County Clerk on February 20, 2026.

ATTESTED:

Laurie Briggs Dudley

Laurie Briggs-Dudley, Eagle Township Clerk

Dated: February 20, 2026

EXHIBIT A

EAGLE TOWNSHIP

ORDINANCE NO.01-2026

AN ORDINANCE TO AMEND THE INTERIM ZONING ORDINANCE REGARDING MORATORIUMS

The Township of Eagle ordains:

Section 1. Addition of New Section 6.01(F) to the Interim Zoning Ordinance.

A new Section 6.01(F) is added to Article 6 of the Eagle Township Interim Zoning Ordinance and reads in its entirety as follows:

Moratorium by Resolution. The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review and recommend amendments to the master plan or zoning ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare. Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to regulate land uses. Any extension shall not exceed six (6) additional months. Notice of the resolution must be published within seven (7) days of its adoption. The notice must include the following:

(1) A summary of the resolution's effect.

(2) The length of the moratorium and whether an extension is possible.

(3) Where the public may inspect the resolution enacting the moratorium.

Section 2. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

Any ordinances or parts of ordinances that conflict with this Ordinance are repealed, but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance takes effect February 18, 2026.

EXHIBIT B

EAGLE TOWNSHIP
NOTICE OF ORDINANCE ADOPTION AND SUMMARY

TAKE NOTICE that on February 17, 2026, the Township Board of Eagle Township, Clinton County, Michigan, adopted Ordinance No. 01-2026, An Ordinance Amending the Interim Zoning Ordinance (the "Ordinance"). Upon a majority vote of the Township Board, the Ordinance took immediate effect on February 18, 2026. The Ordinance is available for inspection at the Township Hall, 14318 Michigan Street, Eagle, MI 48822, during regular business hours. Copies may be obtained for a reasonable charge. The following is a summary of the Ordinance.

SUMMARY OF ORDINANCE NO. 01-2026

Section 1. Addition of New Section 6.01(F). This Section authorizes the Township Board to impose a temporary moratorium, by resolution, on land-use applications, permits, rezonings, licenses, or approvals when needed to review or amend the master plan or zoning ordinance to address land uses affecting public health, safety, or welfare. Any resolution must state the moratorium's purpose, supporting findings, and its duration (up to 12 months), with possible extensions of up to 6 months. A notice summarizing the moratorium must be published within seven days and include its effect, duration, and where the resolution may be inspected.

Section 2. Validity and Severability. This Section provides that if any portion of the Ordinance is held invalid, the remaining portions will continue in full force and effect.

Section 3. Repealer. This Section repeals any conflicting ordinances or ordinance provisions, but only to the extent necessary to give the new Ordinance full effect.

Section 4. Effective Date. This Section states that the Ordinance takes effect on February 18, 2026.

89351:00001:202403319-1

Resolution 2026-02-01
February 10, 2026

RESOLUTION OF THE VICTOR TOWNSHIP BOARD OF COMMISSIONERS REGARDING CLARIFICATION AND AMENDMENT OF CLINTON COUNTY KENNEL ORDINANCE, LICENSING, AND INSPECTION PRACTICES

WHEREAS, the Victor Township Board Of Commissioners is charged with promoting orderly land use, public health, and the welfare of residents and animals within Victor Township; and

WHEREAS, Clinton County regulates kennel operations through its Kennel Ordinance, licensing process, and inspection procedures; and

WHEREAS, the current Clinton County Kennel Ordinance contains ambiguous and inconsistent definitions regarding “private kennel” and “commercial kennel,” leading to uncertainty in interpretation and enforcement; and

WHEREAS, the lack of clear distinctions between private and commercial kennels creates potential legal vulnerabilities, inconsistent application of standards, and challenges in fair and uniform administration of the ordinance; and

WHEREAS, Clinton County–issued Kennel licenses do not specify whether the license is for a private kennel or a commercial kennel, further compounding regulatory ambiguity and complicating compliance, recordkeeping, and enforcement; and

WHEREAS, Clinton County’s Kennel inspection checklist does not differentiate between private and commercial kennel operations, despite the differing scale, intensity of use, and regulatory considerations applicable to each; and

WHEREAS, the absence of clear distinctions undermines established legal precedent that different types of kennel operations may warrant different regulatory treatment based on use, impact, and public interest considerations; and

WHEREAS, clarity in definitions and inspection standards is essential to protect animal health and welfare, ensure appropriate oversight, and maintain consistent and defensible regulatory practices; and

WHEREAS, if Clinton County is going to maintain and enforce a Kennel Ordinance and actively regulate kennel operations, it is in the best interest of Victor Township, its residents, and Clinton County to ensure that such regulations are precise, enforceable, and reflective of

current best practices in animal care and land use regulation; **or, in the alternative, that Clinton County consider repealing its Kennel Ordinance and relying solely on applicable State law for the regulation of kennels**;

NOW, THEREFORE, BE IT RESOLVED that the Victor Township Board Of Commissioners respectfully requests that Clinton County take the following actions:

1. Amend the Clinton County Kennel Ordinance to clearly and distinctly define "private kennel" and "commercial kennel," including objective criteria such as number of animals, purpose of keeping, and whether breeding, boarding, or sale of animals is conducted for profit, etc;

2. Revise Clinton County–issued Kennel licenses to explicitly designate whether the license is for a private kennel or a commercial kennel; and

3. Update the Clinton County Kennel inspection checklist to include separate standards and criteria for private kennels and commercial kennels, reflecting the differing operational and animal welfare considerations applicable to each.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Clinton County Board of Commissioners, the Clinton County Animal Control Department, and any other relevant County officials responsible for kennel regulation and enforcement.

Roll call: Members voting yes: Willoughby, Wiswasser, Prange, Pesch, Sayles. Members voting no: None Members absent: None

Upon recording the vote, the Supervisor declared adopted on this 10th day of February, 2026.

Lianne Prange
Victor Township Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF CLINTON)

I, Lianne Prange, the duly qualified and acting Clerk of the Township of Victor, County of Clinton, State of Michigan, do hereby certify that the above is a true and correct copy of the Resolution adopted by the Victor Township Board, at a regular meeting held on the 10th day of February 2026.

Lianne Prange
Victor Township Clerk

Michigan Department of Agriculture & Rural Development

FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body:

Date Received 3/3/2026

Application No: _____

State:

Date Received _____

Application No: _____

Approved: _____ **Rejected** _____

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR

I. Personal Information:

1. Name(s) of Applicant: Voisinet (Last) Eric (First) L (Initial)

(If more than two see #15) Voisinet (Last) Melinda (First) R (Initial)

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 2891 Alward Rd (Street) Laingsburg (City) MI (State) 48848 (Zip Code)

3. Telephone Number: (Area Code) ( ) 517 331 3932

4. Alternative Telephone Number (cell, work, etc.): (Area Code) ( ) _____

5. E-mail address: Evoisinet@gmail.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Clinton 7. Township, City or Village: DeWitt Twp

8. Section No. 11 Town No. T-5-N Range No. R-2-W

III. Legal Information:

✓ 9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

✓ 10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):

Name: _____

Address: _____ (Street) (City) (State) (Zip Code)

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

_____ Date

_____ Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

__ 2 or more persons having a joint or common interest in the land
__ Corporation __ Limited Liability Company __ Partnership
__ Estate __ Trust __ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)
This application is for:

____ a. 40 acres or more ——→ complete only Section 16 (a thru g);

__X__ b. 5 acres or more but less than 40 acres ——→ complete only Sections 16 and 17; or

____ c. a specialty farm ——→ complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc): Cash Crop

b. Total number of acres on this farm 36.82

c. Total number of acres being applied for (if different than above): Same

d. Acreage in cultivation: 36

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 36

f. All other acres (swamp, woods, etc.) 0.82

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 0 Residence: 0 Barn: 0 Tool Shed: 0
Silo: 0 Grain Storage Facility: 0 Grain Drying Facility: 0
Poultry House: 0 Milking Parlor: 0 Milk House: 0
Other: (Indicate) 0

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of $200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products** (not from rental income):

$ 27,360.00 (total income) : 36 (total acres of tillable land) = $ 760.00 **(per acre)**

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of $2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: $ _____
Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

(Signature of Corporate Officer)

3-2-26
(Date)

(Title)

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ **(Note: Local Governing Body has 45 days to take action)**

Action by Local Governing Body: Jurisdiction: _____

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected **Date of approval or rejection:** _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: $_____ is the current fair market value of the real property in this application.

II. Please verify the following:

_____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

_____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

_____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):	**Before forwarding to State Agency, FINAL APPLICATION SHOULD INCLUDE:**
COPY SENT TO:	___ Copy of Deed or Land Contract (most recent showing current ownership)
____County or Regional Planning Commission	___ Copy of most recent Tax Bill (must include tax description of property)
____Conservation District	___Map of Farm
____Township (if county has zoning authority)	___ Copy of most recent appraisal record
	___ Copy of letters from review agencies (if available)
	___Any other applicable documents

Questions? Please call Farmland Preservation at 517-284-5663

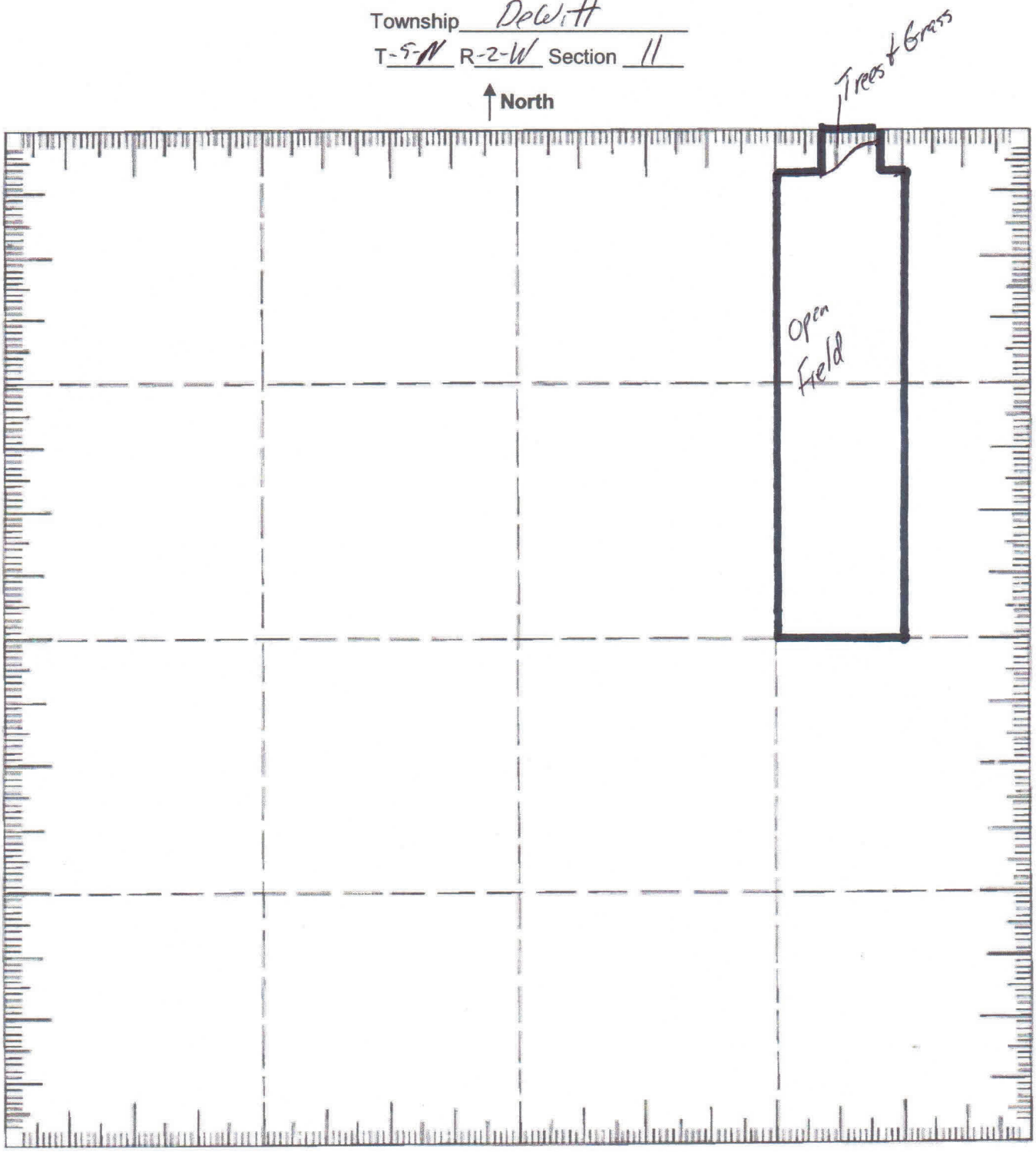
Map of Farm with Structures and Natural Features:

A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft^2 (1 $mile^2$) Section)
B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County Clinton
Township DeWitt
T-5-N R-2-W Section 11

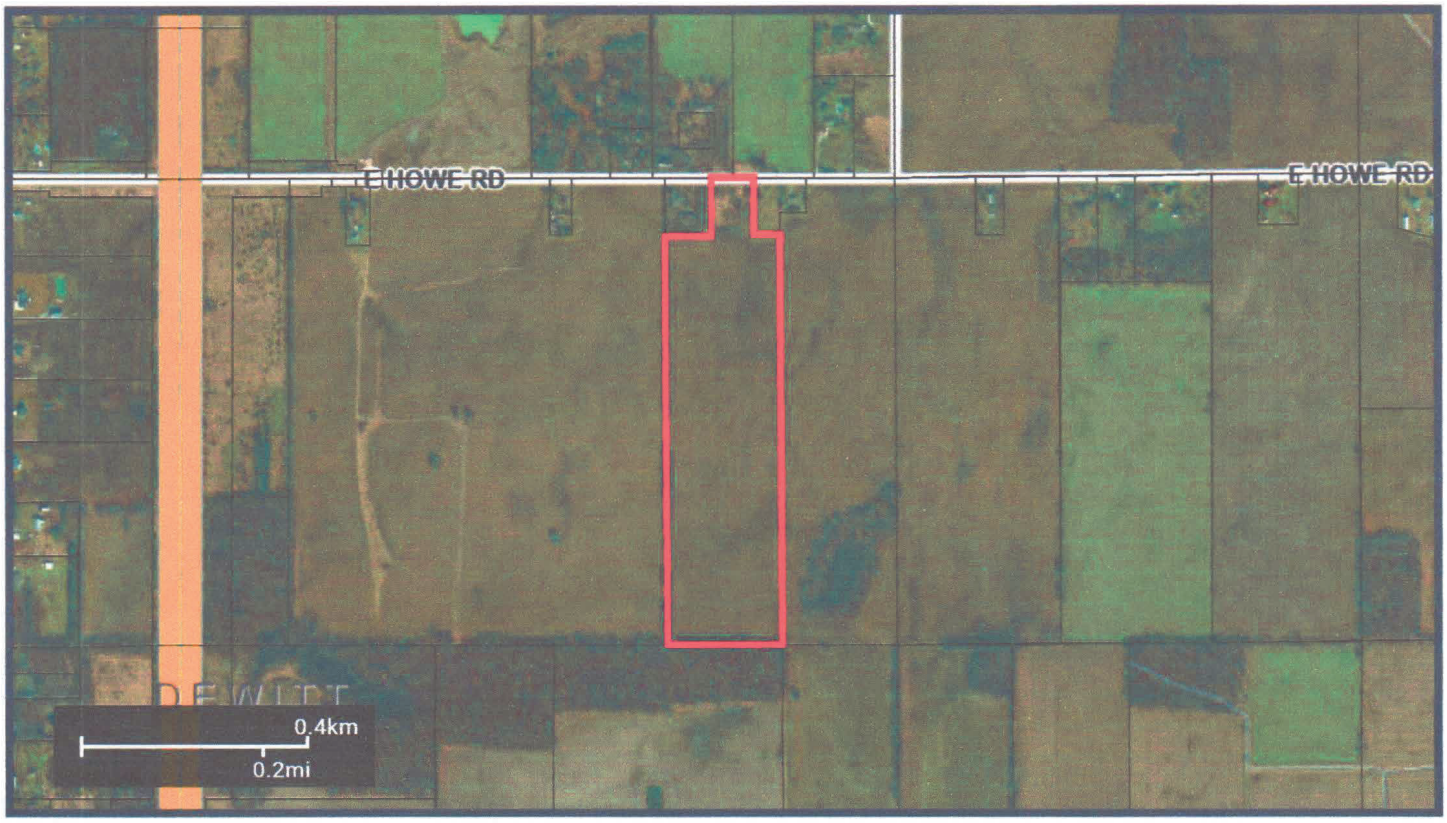
North



Clinton County GIS

Parcel Report: 050-011-100-015-50

3/2/2026
10:58:04 AM



Property Address

E HOWE RD VACANT

DEWITT, MI, 48820

Owner Address

VOISINET, ERIC & MELINDA

--

2891 E ALWAD RD

LAINGSBURG, MI 48848

Unit:	050
Unit Name:	DEWITT CHARTER TOWNSHIP

General Information for 2025 Tax Year

Parcel Number:	050-011-100-015-50
Property Class:	102
Class Name:	AGRICULTURAL VACANT
School Dist Code:	19100
School Dist Name:	BATH 19100
PRE 2024:	100%
PRE 2025:	100%

Assessed Value:	$119,000
Taxable Value:	$48,097
State Equalized Value:	$119,000

Prev Year Info

Prev Year Info	MBOR Assessed	Final SEV	Final Taxable
2024	$109,900	$109,900	$46,651
2023	$94,300	$94,300	$44,430

Land Information

Acreage:	36.82
Zoning:	A

Tax Description

BEG 789.29 FT W OF THE NE COR SEC 11, T5NR2W, TH S 330 FT, E 132 FT, S 2,306.96 FT, TH W ALONG E-W 1/4 LN 658.45 FT, TH N 2,307.29 FT, E 264 FT, N 330 FT, TH E 261.29 FT TO POB. SPLIT FROM 050-011-100-015-00 FOR 2017 ROLL. PARCEL IN PA 260, IN FILE #5242204 DATED 6-20-2016.

Sales Information

Sale Date: 06-17-2016

Sale Price: 140600
Instrument: LC
Grantor: ONDRIAS, DANIEL & ET AL
Grantee: VOISINET, ERIC & MELINDA
Terms of Sale: 03-ARM'S LENGTH
Liber/Page: 5242418

Tax History *Total Due as of settlement date

Tax Details 2024 Winter

School Dist. Code:	19100
School Dist. Name:	BATH 19100
Property Class:	102
Class Name:	AGRICULTURAL VACANT
Last Payment Date:	February 11, 2025
Base Tax:	$1,137.67
Admin Fees:	$11.37
Interest Fees:	$0.00
Total Tax & Fees:	$1,149.04
Assessed Value:	$109,900
Taxable Value:	$46,651
State Equalized Value:	$109,900
Exemption Percent:	100%
Base Paid:	$1,137.67
Admin Fees Paid:	$11.37
Interest Fees Paid:	$0
Total Paid:	$1,149.04

Tax Items 2024 Winter

Tax Source	Millage Rate	Tax Amt.	Base Amt. Paid
DE TWP ALLOC	3.9736	185.37	$185.37

5361288
01/21/2026 03:34 PM Page: 1 of 3
Deed (Warranty) Receipt # 253214
Debra A. Sutherland, Clinton Co

RECEIVED
REGISTER OF DEEDS
CLINTON COUNTY, MI

2026 JAN 21 A 10:24

-Clinton County Treasurer's Certificate
I HEREBY CERTIFY there are no TAX LIENS or TITLES held by the State or individuals on the lands described within and that all TAXES on same are paid for the FIVE years preceding the date of this instrument as shown by the records in this office except taxes in process of local collection or PRE Denial.

Jan. 21, 2026 Steven E. Wiswasser, Clinton County Treasurer

State of Michigan - Real Estate Transfer Tax

Clinton Co $155.10-C
01/21/2026 $1057.50-S
261475 #253214

WARRANTY DEED 19-16481027-STJ

KNOW ALL PERSONS BY THESE PRESENTS: That: Mark Roy Ondrias and Daniel Ray Ondrias, surviving joint tenants of Barbara Ann Jones, whose is death certificate in Instrument number 5361287, Clinton County records, ("Grantor")

the address of which is: 8224 W. Bumble Bee Springs Rd, Cedar City, UT 84720

convey(s) and warrant(s) to: Eric Voisinet and Melinda Voisinet, husband and wife, ("Grantee")

the address of which is: 2891 E. Alward Road, Laingsburg, MI 48848

the following described premises situated in the Township of DeWitt, County of Clinton, State of Michigan, to wit:

SEE EXHIBIT A

also known as Property Address: V/L E. Howe Road, DeWitt, MI 48820
Parcel ID No.: 050-011-100-015-50

050-011-100-015-50

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the Grantee the right to make All division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Hundred Forty Thousand Six Hundred and 00/100 Dollars (***$140,600.00***).

Subject to existing building and use restrictions, easements of record, and zoning ordinances, if any. This deed is delivered pursuant to and **in fulfillment of a certain Land Contract dated 6/17/2016**, by and between Grantor and Grantee, and is subject to the acts or omissions of any persons other than Grantors and/or Assigns from and after the date of said Land Contract.

When Recorded return to:
Eric Voisinet
Melinda Voisinet
2891 E. Alward Road
Laingsburg, MI 48848

Send Subsequent Tax Bills To:
Grantee

Drafted By:
Mark Roy Ondrias
8224 W. Bumble Bee Springs Rd
Cedar City, UT 84720

Effective date Jan. 12, 2026 AS

Dated this January 7, 2026

Signed by:

Mark Roy Ondrias

Daniel Ray Ondrias

State of Utah)
)SS.
County of Iron)

The foregoing instrument was acknowledged before me on this 7th day of January, 2026 by Mark Roy Ondrias

NOTARY PUBLIC
GARRETT CLEMENTS
COMM. # 723232
MY COMMISSION EXPIRES
FEBRUARY 23, 2026
STATE OF UTAH

Notary Public: Garrett Clements
Notary County: Iron ,State: Utah
Commission Expires: February 23, 2026
Acting In: N/A

State of Michigan)
)SS.
County of Clinton)

The foregoing instrument was acknowledged before me on this 12 day of January, 2026 by Daniel Ray Ondrias

ALAYNA SHAFFER
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires July 12, 2027
Acting in the County of Clinton

Notary Public: Alayna Shaffer
Notary County: _____,State: _____
Commission Expires: _____
Acting In: _____

EXHIBIT "A"

Land situated in the Township of DeWitt, County of Clinton, State of Michigan

A parcel of land in the Northeast 1/4 of Section 11, T5N, R2W, DeWitt Township, Clinton County, Michigan, the surveyed boundary of said parcel described as: Commencing at the Northeast corner of said Section 11; thence North 89° 54' 11" West along the North line of said Section 11 a distance of 789.29 feet to the point of beginning of this description; thence South 00° 04' 40" East parallel with the East line of the West 1/2 of the East 1/2 of said Northeast 1/4 a distance of 330.00 feet; thence South 89° 54' 11" East parallel with said North line 132.00 feet to said East line; thence South 00° 04' 40" East along said East line 2306.96 feet to the East-West 1/4 line of said Section 11; thence North 89° 55' 55" West along said East-West 1/4 line 658.45 feet to the West line of the East 1/2 of said Northeast 1/4; thence North 00° 03' 09" West along said West line 2307.29 feet; thence South 89° 54' 11" East parallel with said North line 264.00 feet; thence North 00° 03' 09" West parallel with said West line 330.00 feet to said North line; thence South 89° 54' 11" East along said North line 261.29 feet to the point of beginning.

Commonly Known as: V/L E. Howe Road
Tax Parcel ID: 050-011-100-015-50

050-011-100-015-50