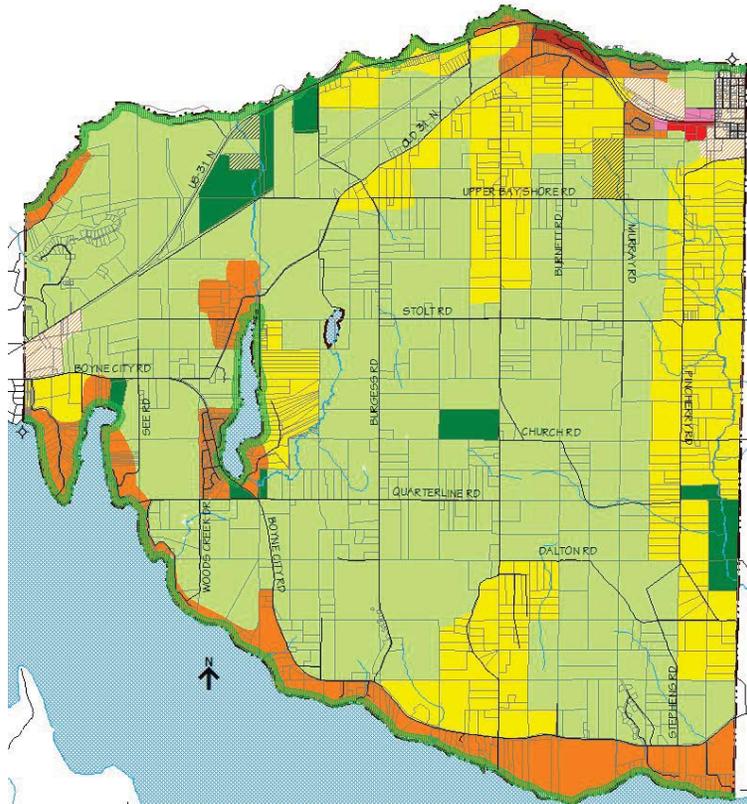


Hayes Township

Master Plan Update-2007/2008



PLANNING COMMISSION ADOPTED: JULY 23, 2008
TOWNSHIP BOARD ADOPTED: AUGUST 11, 2008

With Planning Assistance Provided By:

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Hayes Township Master Plan

Charlevoix County
Michigan

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Adopted

Planning Commission: July 23, 2008

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**HAYES TOWNSHIP
MASTER PLAN UPDATE
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CHAPTER 1 INTRODUCTION

Purpose and Planning Process

The purpose of the Hayes Township Master Plan is to provide guidelines for future development, while protecting the natural resources and rural character of the Township. This plan presents extensive background information including socio-economic data on the Township; description and mapping of natural resources and existing land uses; and inventory of existing community facilities. The background information was analyzed to identify important characteristics, changes and trends occurring in the Hayes Township. Community concerns were identified based on a 1998 citizen survey, a follow-up questionnaire, a public input session conducted in January 2007, previous planning efforts, and input from a Master Plan working group. Goals and policies were developed to guide future development based on the background studies, key land use trends and community issues. These goals, along with a detailed map of existing land use, provided the basis for the Future Land Use Map which specifies where the various types of future development ideally will be located in the Township. This plan also provides suggestions for implementation of the identified goals and policies. The guidance provided by this Master Plan will be utilized in updating the Zoning Ordinance for Hayes Township.

Location

Hayes Township is positioned between the Cities of Charlevoix, Boyne City and Petoskey. It is bordered on the north by Lake Michigan, on the south by Lake Charlevoix, on the west by Charlevoix Township, and on the east by Bay and Resort Townships. Susan Lake, several streams, and many wetlands add to Hayes Township's unique character. In the Township's interior, large parcels of agricultural and forest land are mixed with smaller residential parcels. At the Township's northern border the community of Bay Shore has grown up around several commercial establishments. See Figure 1-1.

Hayes Township is in a state of transition. In the past two decades it has become less of an agricultural community and more of a bedroom community, serving neighboring municipalities, where Hayes Township residents are employed. In addition, Hayes Township has become home to a growing number of retirees and senior citizens, and is a second home community for vacationers from other parts of Michigan and the United States. Hayes Township's extensive lake front and open spaces are significant factors in its attractiveness and growth.

Background

Hayes Township in Charlevoix County stands at a critical point in its history. New residential and commercial development is happening at an accelerating pace, changing familiar landscapes as rapidly and dramatically as they were altered 100 years ago when the white pine loggers harvested the virgin forests.

Residents have said they do not want to stop this development, which they recognize as both inevitable and, in some respects, highly desirable. They strongly insist that it be funneled in the most desirable directions, in ways that preserve the tranquil, open and natural features that make this such an attractive area in which to live or to vacation. They want government to provide a balanced and fair approach to planning and zoning that respects the rights of those who already live here to continue to enjoy the uncrowded beauties of the land and the lakes. They acknowledge

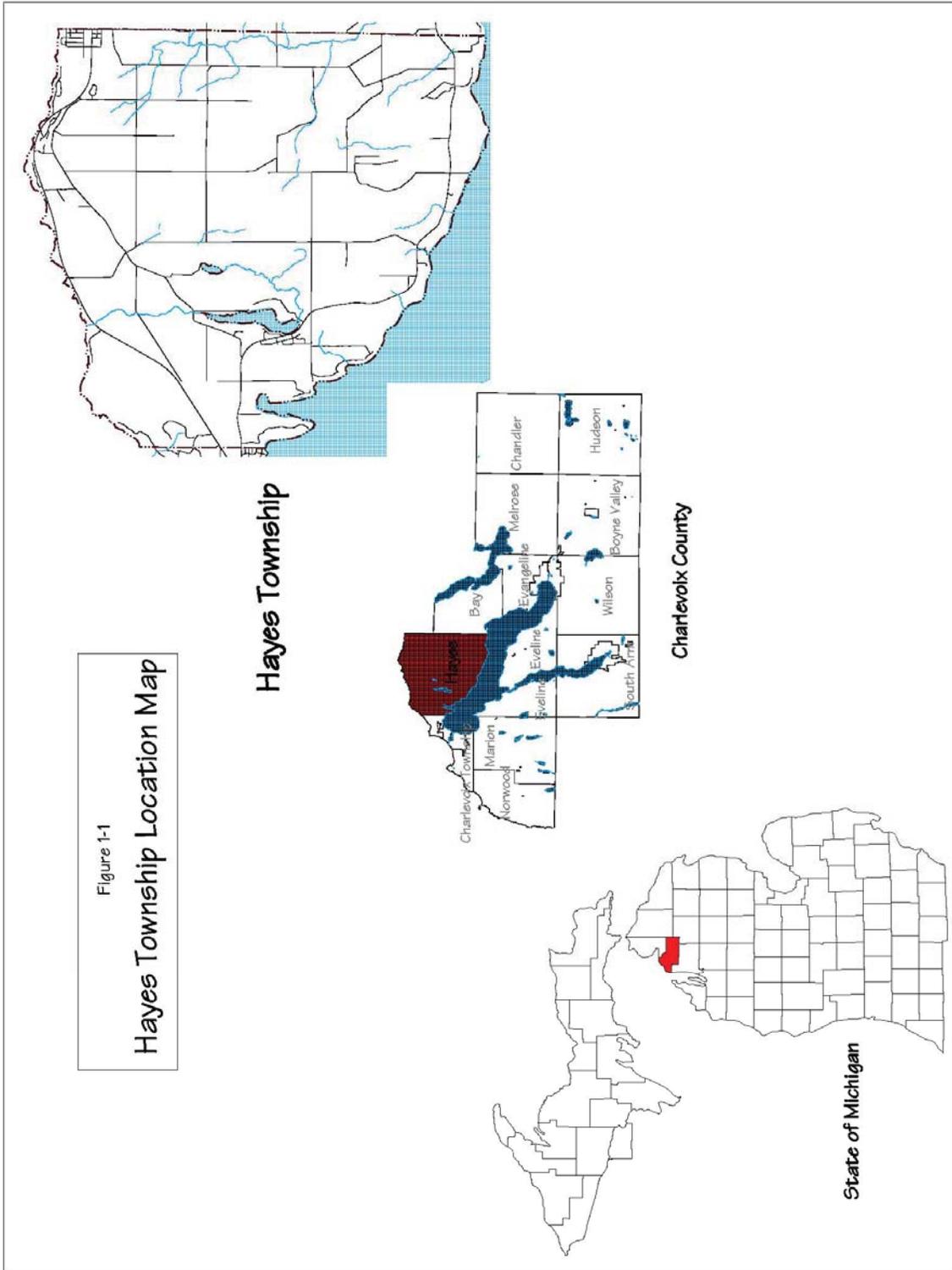


Figure 1-1
Hayes Township Location Map

that property owners have economic rights but believe those rights should be used in responsible ways that are consistent with the overall goal of maintaining the historic features of the township.

Crucially, they believe that local government has substantial responsibility for adopting policies that protect the historic scenic attributes of the township, that reduce overcrowding on land, roads and waterways and that remedy existing problems of visual pollution in blighted areas. They say, in effect, that a visionary government working imaginatively with potential developers can create better outcomes for present and future residents than a developer could achieve on his own.

The Hayes Township Board charged the Hayes Township Planning Commission with originally preparing and subsequently updating the Township Master Plan to guide future land use decisions. In moving toward that goal, the commission has tried to find consensus first on an overriding philosophy of land use, then to formulate a set of policies or principles that public officials and private developers can apply to specific situations and locations. And finally the commission has attempted to suggest specific actions that the board and other agencies should take to carry out those policies and principles.

Later pages of this plan provide substantial detail about each of these three elements of the plan. The key **philosophical base** is that the highest priority must be given to preserving, protecting and enhancing the township's exceptional land and water resources. The **overriding principle** for government officials in decisions that could affect these resources is to strive, usually in cooperation with landowners and developers, to maximize those actions that preserve the scenic and rural character of the township and to minimize the impact of land development that necessarily impinges on open space. Chief among the **specific actions** urged by the plan are:

- Changes in the zoning ordinance to encourage clustered development and to require increased open space in large-scale projects;
- The designation of specific areas for agricultural, residential, public, commercial or industrial activity and the limitation of strip commercial and industrial development along the U.S. 31 Corridor and the Boyne City Road;
- Enactment of regulations to preserve prime agricultural acreage and to protect groundwater;
- Adoption of a future land use strategy that coordinates planning and regulatory processes.
- Development of Access Management guidelines for US-31.
- Enactment of waterfront protection measures.

The commission believes that local government must approach land use issues with a clear vision of its long-range goals in assuring that future generations enjoy the exceptional scenic and recreational amenities that currently make the township so attractive. The commission believes that local officials should not kill the goose that lays the golden egg by yielding our future to immediate considerations of increasing the tax base.

In reaching these conclusions and drafting this plan, the commission has been strongly influenced by its review of the township's history and the movement from a farm-based community toward the present mixed pattern of limited farming and year-round and seasonal housing that emphasizes recreational activities. It has also sought to respect the clear preferences of residents as expressed in a 1998 survey that revealed overwhelming support for restricting development that could

diminish the existing scenic and water assets. The commission has been mindful of the advice it has gotten from a broad range of local officials and residents as well as planning experts and officials in other communities facing similar challenges.

The commission recognizes that an effective and fair plan for Hayes Township must be flexible enough to accommodate future shifts in the desires of residents as well as changing state and national economic conditions. The commission believes that a Master Plan should not only tell us what we should not do but also should encourage land use toward a precisely understood pattern of activities.

Historical Background

Present day Hayes Township still retains evidence of its first inhabitants, the native Americans, and later the farmers and lumbermen who were its first European settlers. Log-constructed Greensky Hill Church (United Methodist) stands just off Old US 31 North, near the "Circle of Council Trees" once used by the Native Americans. Greensky Church was started as an Indian Mission in the home of Zu Zopf, and a burial ground is nearby. The Undine Cemetery on the Boyne City Road is the burial ground for other early residents of the Township.

Several one-room school buildings, including the Undine and Hopyard, both of which closed in the 1940's, remain and have been converted to private uses. The Maple Grove School was moved to Petoskey in the mid-40's and now houses a church. The Murray School, a red brick building on the corner of Upper Bay Shore and Murray Roads, was closed in 1965 and is now a residence.

The Maple Grove Grange Hall on the corner of Maple Grove and Church Roads served the agricultural community for over 70 years until the Grange was disbanded in 1986.

Two areas of the Township tended to become population and business centers during the latter 19th and early 20th centuries, the heyday of the lumbering industry. At Burgess Corners, a sawmill owned and operated by Burgess and Linnie Cooper stood by the railroad tracks until the early 1900's. Bernie Newsom ran a large general store at the corner of Burgess Road and Old US 31 North, which burned in the early 1940's. Burgess Corners lost its final commercial establishment in the early 1950's when a store and gas station closed.

Bay Shore also became a busy industrial and commercial community during the 1900's. The kilns of the Bay Shore Lime Company, which have not operated since 1930, baked limestone quarried off US 31. The sawmills of the Bay Shore Lumber Company prepared high quality timbers for shipments to Detroit and Chicago. The lumber mill also produced broom handles as a by-product, making Bay Shore a multi-product manufacturing community. Loggers for miles around furnished the four-foot pieces of wood used for fuel by the kilns. Three fire hoses stood guard near the town houses because the kilns, operating twenty-four hours a day, created a constant fire hazard.

A modern three-story hotel served travelers to Bay Shore until it burned in 1914. The large general store in the center of the town provided dry goods and hardware on one side and provender on the other. The hall above the store offered a meeting place for the Macabees and the Oddfellows, a dance floor for the lively, and a cozy place for friendly conversing. Bay Shore boasted an additional grocery store, a blacksmith shop, meat market, barber shop, ice cream parlor, and saloon.

The early Bay Shore had a band, a ball team, and at one time free movies were shown on the outside wall of a store. Games on the bluff, school dances in the hall over the store, ice cream socials, and maple syrup making were other forms of entertainment. Daily trains left Bay Shore for Petoskey, at 10 a.m. and returned at 2:30 p.m. Catholic and Presbyterian Churches served the community.

Today Bay Shore is an unincorporated village, largely residential in nature, but commercial establishments in the area include a general store and gas station, automobile dealership, a trucking terminal, and a road building company with its gravel mining operation.

The Oyster Bay area was the location of summer camps on the shores of Lake Charlevoix, on acreage also known as Struthers' Estate. This was a popular summer camp for boys until its closing in the early 1970's. Since the closing of the camps, the site has been developed for residential use.

During the 1960's, Consumers Power Big Rock Nuclear Power Plant and LexaLite Manufacturing were built on the shore of Lake Michigan, providing more technical jobs and higher incomes. The power plant, which at one time provided the Township with approximately 20% of its tax base, was decommissioned in 1998.

With the development of several summer resort colonies in nearby Charlevoix, the shores of Lake Charlevoix in Hayes Township began to attract summer residents, who bought large parcels and built seasonal homes. In recent years, new home construction has increased in Hayes Township as more people have moved north to become part of the growing year-round economy of the region or to become seasonal home owners. With passing generations, many of the large parcels along Lake Charlevoix have been divided, resulting in the growth of year-round lakefront homes on smaller parcels. Resort-oriented subdivisions, developed in the 1970's at Susan Shore, Birdland Estates, Michigan Shores and Pine Point, have evolved into year-round residential areas.

The interior of Hayes Township was largely agricultural, primarily beef and dairy cattle and crops such as potatoes and beans. In the past twenty years many agricultural lands have been divided with areas once agricultural becoming residential. Whereas agriculture was the mainstay of the Township forty years ago, it is now estimated there are fewer than a half dozen full-time farmers in the Township. Thus, while retaining its characteristic open spaces and forestlands, Hayes township is less of an agricultural community than it has been in the past. Similarly, while there has always been a commercial and industrial factor in the Bay Shore area, the major growth in the past twenty years has been more residential in nature.

In short, Hayes Township remains a very desirable place in which to live and enjoy open spaces, lakes and forests, with services and places of employment by and large located in neighboring municipalities.

Plan Development Process

The 2007 Update of the Hayes Township Master Plan was developed by the Hayes Township Planning Commission in conjunction with the Hayes Township Board. The Planning Commission reviewed the previous Master Plan and updated as appropriate, especially in relation to population, existing land use, Township goals and future land use, in order to develop a general picture of the township and produce a base-line study on which to plan for future growth. Individual members of the planning commission, committees and concerned citizens participated in the planning process. The Township wishes to thank everyone who gave so much time to the development of this plan.

The plan is intended to serve as a guide that will be used by the township to help determine land uses and development policies that will affect the community's physical development. It defines general planning goals, policies and action plans that provide a philosophical base for use by the Planning commission as it guides future growth and land use in the township. Because it is a guide, this plan is not intended to be rigidly administered. Changing conditions in the community may affect the goals and philosophy established when the plan was originally developed. Such

changes do not automatically mean that the plan must be subject to wholesale revisions, but rather that the goals and philosophy espoused should be evaluated to determine if the plan remains valid. If the plan's validity is retained, then its policies and action plans should be followed.

Michigan law specifically designates Township Planning Commissions as having the responsibility to develop Comprehensive Plans. The Michigan Township Planning Act, PA 168 of 1959 (MCLA 125.321 et seq.) defines the purpose of a Comprehensive Plan:

To promote public health, safety and general welfare, to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings and people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and to consider the character of each township and its suitability for particular uses judged in terms of such factors as the trend in land and population development.

In addition, this plan will serve the following purposes:

1. Provide a basic plan consistent with the intent, purpose, and requirements of the Township Planning Act.
2. Provide a legal and rational foundation for Hayes Township's Zoning Ordinance and other ordinances adopted for the purpose of implementing this Plan.
3. Provide goals and policies for future land use and development.
4. Encourage the preservation and protection of natural and scenic resources.
5. Promote the preservation of features that contribute to the Township's character and to the area's tourism related economic base as characterized by low density development, shorelines, woodlands, farmland, open space, and abundance of recreational amenities.
6. Delineate areas suited to various types and densities of land use and development.
7. Provide guidelines and policies describing how future land uses should be established and how land and natural resources may be altered or developed over time.
8. Provide a tool for use by township officials during the process of reviewing future land development project proposals.
9. Outline methods by which this plan may be implemented.

The Status of Planning and Zoning in Hayes Township

Hayes Township initially adopted the current zoning ordinance in 1974, and last amended in 1999. The most recent Master Plan that served as the basis for this update was adopted in 2000.

Updated zoning ordinances supported by up-to-date comprehensive land use plans (also known as Master Plans) are considered the main tool Michigan communities have at their command to control land use patterns and development pressures. To provide a strong legal foundation a zoning ordinance should correspond to an up-to-date adopted Master Plan. Since the Township administers a Township Zoning Ordinance, it is advisable that the Township maintain an up-to date Township-specific Master Plan to guide future development and provide an enhanced legal foundation for the Township Zoning Ordinance.

CHAPTER 2 SOCIO-ECONOMIC CHARACTERISTICS

Population

According to the U.S. Census Bureau, the population for Hayes Township in 2000 was 1893 persons (945 male – 948 female), averaging approximately 66.9 persons per square mile for the Township's 28.3 square miles of land area. This population density can be compared to approximately 62.6 persons per square mile for Charlevoix County and 175.0 persons per square mile for the State of Michigan.

In discussing the population for Hayes Township, however, it is important to note that the figure presented by the 2000 Census does not reflect the actual number of persons residing in the Township during the summer months. This situation can be seen throughout much of northern Michigan. The Census tally, taken on April 1st, does not count residents who winter elsewhere. Respondents are asked to declare a permanent residence different from their April location, if more than six months are spent at the alternate address. However, many fail to do so for reasons of misunderstanding or for tax purposes.

In reviewing the social and economic information derived from Census data, the figures presented for housing characteristics show 229 units or 22.2 percent of the total housing units as seasonal, recreational, or occasional use homes. With this in mind, it can be assumed that the Township's resident population increases by at least 22 percent during the summer months. Based on the average household size in Hayes Township of 2.47, the expected seasonal increase would be 565 persons. In addition, many summer visitors stay at private lodging places or at the homes of family or friends.

Table 2.1 illustrates population statistics for permanent residents for Hayes and nearby Townships, as well as Charlevoix and Emmet Counties from 1970 through 2000. As can be seen, the Township has experienced significant population growth during the decades between 1970 and 1980 and then again between 1990 and 2000.

TABLE 2.1:
Population Changes 1970-2000
AREA TOWNSHIPS & COUNTIES

	1970	Percent Change 1970-1980	1980	Percent Change 1980-1990	1990	Percent Change 1990-2000	2000	Percent Change 1970-2000
Hayes Township	706	80.5	1,274	3.4	1,317	43.7	1,893	168.13
Bay Township	456	31.3	599	37.7	825	29.5	1,068	134.21
Resort Township	1,009	67.2	1,687	22.6	2,068	19.8	2,479	145.68
Charlevoix County	16,541	20.3	19,907	7.8	21,468	21.5	26,090	57.72
Emmet County	18,331	25.4	22,992	8.9	25,040	25.6	31,437	71.50

Source: Census of Population and Housing 2000; Summary Tape File 1 on CD-ROM (Michigan) / prepared by the Bureau of Census. Washington: The Bureau of Census, 2001.

Age Distribution and Racial Make-up

Information on age distribution within a population can assist the community in matching public services to community characteristics and in determining what, if any, special needs specific resident groups might have.

Age distribution for Hayes Township in 2000 reflects a population which is slightly older than that of Charlevoix County, and the State of Michigan as a whole, as illustrated in Table 2.2. While, the young adults (18-24) are slightly underrepresented in the Township in comparison to the County and State, the proportion of adults in the wage earning years (25-65) is closer to the County and State norms, and nearly all age groups over age 45 are higher than the County and State levels. Table 2-2 provides the statistical comparison of the age distribution for the Township, the County and the State, based on the 2000 Census.

At the time of the 2000 Census, the median age for Hayes Township was 42.3 years, for Charlevoix County, 39.1 years, and for the State, 35.5 years. The Township median age is significantly older than both the State and County. It is important to remember these statistics do not include the seasonal resident population, which is likely to have a larger proportion of older persons.

TABLE 2.2: Age Distribution – 1990 & 2000 HAYES TOWNSHIP, CHARLEVOIX COUNTY, STATE OF MICHIGAN								
Age	Hayes Twp.		Township %		County %		State %	
	1990	2000	1990	2000	1990	2000	1990	2000
Under 5	103	90	7.8	4.8	7.5	6.5	7.6	6.8
5-17	248	352	19.0	18.5	19.4	19.4	18.9	19.3
18-24	102	86	7.7	4.5	7.9	6.5	10.8	9.3
25-44	472	519	35.9	27.4	30.7	27.4	32.1	29.8
45-54	139	342	10.6	18.1	10.4	14.2	10.2	13.8
55-59	46	139	3.5	7.3	4.7	6.0	4.2	4.9
60-64	63	103	4.8	5.4	4.9	5.0	4.3	3.8
65 +	144	262	10.9	13.8	14.4	14.9	11.9	12.3
Total	1317	1893	100.2	99.8	99.9	99.9	100.0	100.0
Median age		42.3				39.1	32.6	35.5

Note: Due to rounding, percents may not equal 100
Source: Census of Population and Housing 2000; prepared by the Bureau of Census. Washington: The Bureau of Census, 2001.

The racial make-up of the Township is primarily white (1815 persons). Native Americans are the primary minority population (39 persons), and there are ten persons of Asian background reported, and one African American.

Income

Income statistics for the 2000 Census reflect information from the 1999 calendar year, because the Census was taken in April of 2000. Income levels for Northern Michigan often fall behind those found in the State as a whole, however this is not true for Hayes or the surrounding Townships. Table 2.3 compares income statistics for Hayes, Bay and Resort Townships, Charlevoix and Emmet Counties and the State.

TABLE 2.3: Income Statistics AREA TOWNSHIPS, COUNTIES AND STATE OF MICHIGAN (in 1999 dollars)		
	Median Household Income	Per Capita Income
Hayes Township	\$ 50,478	\$ 25,512
Bay Township	\$ 48,462	\$ 25,594
Resort Township	\$ 52,772	\$ 25,080
Charlevoix County	\$ 39,788	\$ 20,130
Emmet County	\$ 40,222	\$ 21,070
State of Michigan	\$ 44,667	\$ 22,168
Source: 2000 Census DP-3		

TABLE 2.4: Household Income Comparison HAYES TOWNSHIP, CHARLEVOIX COUNTY AND STATE OF MICHIGAN (in 1999 dollars)			
Household Income	Hayes Township %	Charlevoix County %	State of Michigan %
Less than \$10,000	5.7	7.7	8.3
\$10,000 - \$14,999	4.0	5.9	5.8
\$15,000 - \$24,999	8.8	13.7	12.4
\$25,000 - \$34,999	12.1	15.2	12.4
\$35,000 - \$49,999	18.6	20.4	16.5
\$50,000 - \$74,999	27.4	20.5	20.6
\$75,000 - \$99,999	13.2	8.6	11.4
\$100,000 - \$149,999	6.7	5.2	8.6
\$150,000 - \$199,999	1.4	1.3	2.1
\$200,000 or greater	2.1	1.5	2.0
Note: Due to rounding, percents may not equal 100 Source: Census of Population and Housing 2000; prepared by the Bureau of Census. Washington: The Bureau of Census, 2001.			

Housing Stock and Property Values

An evaluation of housing stock and property values can be very beneficial in determining community characteristics or housing needs. For example, a large percentage of seasonal housing units is indicative of an increased seasonal population, as is the case of Hayes Township.

Statistics from the 2000 Census show a total of 1030 housing units for Hayes Township: 841 single-family units, two units in multi-family structures, and 183 mobile homes. Multi-family housing represents just 0.2 percent of the housing stock, while mobile homes are about 17.8 percent of the housing stock in Hayes Township.

When compared to the State as a whole, seasonal housing in the Hayes and surrounding Townships as well as Charlevoix and Emmet Counties is very significant, as shown in Table 2.5.

TABLE 2.5: Seasonal Housing Characteristics AREA TOWNSHIPS, COUNTIES AND STATE OF MICHIGAN -1990 & 2000						
	Total Units		Seasonal Units		% Seasonal	
	1990	2000	1990	2000	1999	2000
Hayes Township	702	1,030	182	229	25.9	22.2
Bay Township	679	787	321	337	47.3	42.8
Resort Township	986	1215	237	282	24.0	23.2
Charlevoix	13,119	15,370	3,873	4,391	29.5	28.6
Emmet County	14,731	18,554	4,382	5,039	28.7	27.2
State of Michigan	3,847,926	4,234,279	223,549	233,922	5.8	5.5

Source: U.S. Bureau of Census, 2000 Census

Table 2.6 illustrates the residential construction activity and indicates the age of the Hayes Township housing stock.

TABLE 2.6: Age of Housing Stock HAYES TOWNSHIP 1940-2006	
Period of Construction	Percent Homes
1999-2006	10.0
1995-1998	17.0
1990 - 1994	17.3
1980 - 1989	16.5
1970 - 1979	16.9
1960 - 1969	7.9
1940 - 1959	5.5
1939 or earlier	13.1
Source: Hayes Township Zoning Administrator and U.S. Bureau of Census.	

Household Size

Census data from 2000 shows Hayes Township has a household size of 2.47 persons per household, decreased from 2.77 in 1990. The current household size for Hayes Township is quite similar to that of Charlevoix County (2.48) and the State of Michigan (2.41). These figures are a significant change from prior decades. Over the past few decades, many communities across the state have experienced a shrinking average household size. This trend to smaller households is important, because it creates a demand for additional housing units, even in the absence of numerical increase in population.

Ownership

In Hayes Township, 92.8 percent of the permanently occupied housing units are owner-occupied, compared with 81.1 percent at the County level and 73.8 percent at the State level. The renter-occupied housing in Hayes Township accounts for 7.2 percent of the total housing units (median rent \$514), compared with State level of 26.2 percent and median rent of \$540.

Housing Value

Another comparative measure for housing is value, as shown in Table 2.7. The median value of owner-occupied year-round housing units is \$122,800 for Hayes Township, nearly double 1990's \$64,000. Charlevoix County's median value in 2000 is \$112,700 as compared to the value of \$53,600 in 1990, while Michigan's 2000 median value owner-occupied housing unit is \$115,600 (\$60,600 in 1990). This information, while collected by the Census Bureau is subjectively provided by the general population regarding what he or she thinks is the value of his or her house, therefore this information should be used with caution. Additionally, some people intentionally underestimated the value of their homes due to concerns that accurate reporting might raise their taxes.

TABLE 2.7: Value of Specified Owner-Occupied Housing Units HAYES TOWNSHIP - 2000	
Housing Values	Percent of Units
Less than \$50,000	18
\$50,000 - 99,000	99
\$100,000 - 149,000	116
\$150,000 - 199,000	56
\$200,000 - 299,000	21
\$300,000 - 499,000	9
500,000-999,999	14
1,000,000 or more	16
Median value	122,800
Source: U.S. Bureau of Census, 2000 Census	

Property Value

Property values can also be analyzed by reviewing State Equalized Value (SEV) figures. By law, SEV, which constitutes a community's tax base, is equal to approximately one-half of the true market value of real property and certain taxable personal properties. The total SEV for Hayes Township has significantly increased (over 88%) during the last five years, since 2001; see Table 2.8 and 2.9. As of 2006, the largest value non-residential class of properties making up the Township's SEV is commercial land, which accounts for less than four percent of the Township's total SEV.

The 2006 distribution and percentages of SEV values for Hayes Township and Charlevoix County are presented in Table 2.9.

TABLE 2.8:
State Equalized Valuation by Property Class
HAYES TOWNSHIP

Class	2001 SEV	2003 SEV	2005 SEV
Agriculture	3,745,400	5,098,100	5,543,000
Commercial	6,212,500	7,773,700	10,937,800
Industrial	5,059,829	5,431,400	5,366,200
Residential	149,719,900	205,693,800	248,718,700
Timber Cutover	1,193,800	2,028,900	2,131,000
Developmental	0	0	0
Total Real Property	165,931,429	226,025,900	272,696,700
Personal Property	6,473,054	6,791,800	6,753,000
Total SEV	172,404,483	232,817,700	279,449,700

Source: Charlevoix County Equalization Department.

TABLE 2.9:
Distribution of the SEV
HAYES TOWNSHIP AND CHARLEVOIX COUNTY - 2006

Real Property:	Hayes Township		Charlevoix County	
	Amount	Percent	Amount	Percent
Agricultural	4,999,400	1.5%	71,947,800	2.4%
Commercial	11,598,300	3.6%	188,180,336	6.3%
Industrial	6,239,100	1.9%	45,928,200	1.5%
Residential	296,241,000	91.1%	2,549,125,316	85.6%
Timber Cutover	0	0%	9,317,650	0.3%
Developmental	0	0%	0	0%
Total Real Property	319,077,800	98.1%	2,864,499,302	96.2%
Personal Property	6,035,400	1.9%	111,624,400	3.8%
Total SEV	325,113,200	100%	2,976,123,702	100%

Source: Charlevoix County Equalization Department

CHAPTER 3 NATURAL RESOURCES

Natural resources are interrelated biological systems that are vital to the region's sense of place, and the health and well-being of its residents and visitors. Although these resources provide tangible benefits and influence the suitability of land for various types of development, they also make the region and township unusually attractive for development.

Lakes, streams, woodlands, meadows, wetlands, hydric soils, floodplains, topographic features, and irreplaceable scenic views, as well as environmental, economic, and recreational resources that are essential to the region's economic base.

- Wetlands provide important wildlife habitat and play an important role in the hydrologic cycle. Wetlands store and filter storm and flood waters.
- Woodlands provide renewable timber resources, important wildlife habitat, passive and active recreational opportunities, and help purify the air we breathe and the water we drink.
- Lakes and streams support aquatic and littoral habitat, serve as a source of water for many lakefront community's water supply systems, and provide a wide variety of recreational opportunities.
- Scenic views and roadway corridors establish regional and local identity.
- Prime and unique farmlands provide food and fiber, and are an integral element of the township's historic and visual character.
- Groundwater serves as the sole source of drinking water for the majority of residents of the township and region.
- Soil influences the suitability of land for a variety of land uses and types of development.
- Mineral deposits are essential to the construction and maintenance of area and regional infrastructure.

Historically, natural resources have been utilized for short-term economic gain with little consideration for long-term impacts on regional and local quality of life. Poorly managed utilization or exploitation of renewable resources will degrade their tangible value, and result in irreparable impacts on future quality of life.

If managed over the long-term, natural resources will continue to benefit regional and local economies, and local and regional quality of life. Examples of effective management include:

- Retaining adequate contiguous tracts of prime and important farmland for the production of crops.
- Developing clustered home sites while retaining crop or forestlands.
- Retaining woodlands for timber production, hunting, wildlife habitat and recreation; retaining stream bank and shoreline vegetation to provide a low-cost means of treating stormwater and maintaining the quality of surface water.
- Protecting wetlands to retain their function in the hydrologic cycle over the long-term and retaining wooded slopes as a means of reducing the potential for slope failure and soil erosion.

A narrative overview of natural resources is provided below.

Wetlands

Wetlands are found along streams, creeks, at the bottom of natural drainageways, and along the shorelines of Lake Michigan, Susan Lake and Lake Charlevoix. Wetlands play a significant role in the hydrologic cycle, and make an essential contribution to the quality of the area's surface waters. Wetlands are natural retention and filtration systems that hold and filter sediment, nutrients, and other pollutants from stormwater runoff that would impact surface water quality if untreated. Wetlands provide habitat for a variety of plant and animal life, and are a visually pleasing element of the Township's character.

The Tip of the Mitt Watershed Council identified three high-value wetlands encompassing a total land area of 523 acres. These high-value wetlands are located along and adjacent to Susan Creek north of Susan Lake, east of Oyster Bay, and along, adjacent to and north of Mud Creek and Mud Lake.

Wetlands also occur throughout the township in areas of hydric soils.

Woodlands

Woodlands provide wildlife habitat for a wide variety of plant and animal life, contribute to hydrologic and groundwater recharge cycles, serve as holding and filtration areas for stormwater runoff, prevent soil erosion, afford a variety of recreational opportunities, and provide renewable timber resources.

The Township's forested areas contribute to the community's historic rural character. Most are found on steep slopes and hillsides, creek valleys, and in or adjoining wetland areas. For the most part, forested areas occur as large, contiguous tracts of land consisting of mixed hardwood trees, including maple, beech, ash, oak and birch, and conifers such as white pine, cedar, balsa, and tamarack.

Lakes & Streams

Lakes and streams support aquatic, shoreline, and streambank wildlife habitats. Poor land development practices adversely impact the quality of surface waters, damage sensitive shoreline and streambank ecosystems.

There are two small lakes and three creeks found in the township. Horton Creek flows from the higher elevations in Bay and Hayes Township. The creek traverses the township to a point where it runs through Bay Township and empties into Horton Bay on Lake Charlevoix. Mud Creek flows from Mud Lake to Susan Lake. Susan Creek flows from Susan Lake into Lake Michigan at Kennedy Park north of Big Rock Point.

Each creek is bordered by wetlands that encompass significant acreage. Horton Creek provides habitat for salmon and trout. Susan Lake is a shallow, extremely sensitive body of water well along in the aging or eutrophication process. This aging process has likely been aided by nutrient-laden runoff from upland agricultural areas. Mud Lake has no public access because land surrounding it is privately owned.

Open Space

Undeveloped open space contributes to the Township's rural character and visual appeal. Open space includes woodlands, farm fields, shrub and herbaceous fields, wetlands and rolling hillsides. Portions of the U.S. 31 corridor afford unobstructed views of Lake Michigan and Little Traverse Bay. Rolling farm fields and shrub and herbaceous fields establish the Township's rich visual character and sense of place.

Topography

The township's topography is characterized by rolling hills, beach ridges, dunes, and rocky beaches along the Lake Michigan shoreline. Steep hills and high elevations in the central portion of the township afford views of Lake Michigan, Lake Charlevoix and the surrounding countryside. The highest elevation in the township occurs in Section 23 at a point approximately 404 feet above Lake Michigan, or 984 feet above sea level.

Glacial movement during the Ice Age produced the township's geological features. Horton Valley along Pincherry Road is the result of glacial movement. Gravel along Old US 31 was deposited during that period.

Soils

Soil characteristics present opportunities for the development of certain land uses, and limitations for others. Permeability, filtration capability, load bearing capacity, shrink-swell potential, and slope influence the ability of land to accommodate septic systems, building foundations and roadways. Other features influence productivity of agricultural and forestry operations, wildlife habitat, recreational uses, and the potential for surface and groundwater contamination.

Small portions of Hayes Township may have access to municipal sewer systems (to the East in Charlevoix Township at the Charlevoix Country Club, and to the West in the Bay Harbor development) at some point over the long-term. It is impractical to assume, however, that such systems can or should be available to larger areas of the Township within the next ten years. Accordingly, future development will remain dependent on the capability of soils to accommodate a variety of land uses.

Descriptions of soil characteristics that influence the suitability of land for intensive development appear below.

Hydric/Wetland Soils

Hydric/wetland soils are generally unsuited for septic system installations, road construction, and building site development. These soils tend to be of insufficient strength to support building foundations. Shrinking and swelling of soils during freeze/thaw cycles can damage building foundations unless soils are modified with appropriate fill material.

Septic Limitations

The Septic Limitations Map, Figure 3-1, delineates the suitability of soils for conventional residential on-site septic systems within the township. This map is based on soil interpretation reports published by the USDA Natural Resources Conservation Service (formally the Soil Conservation Service) and is valid as a general planning tool.

Soils with slight limitations are well suited for conventional septic systems. When systems are sited and maintained properly there are few long-term problems. Soils in this category are usually suitable for moderate intensity residential development.

Slow percolation rates and/or moderate slopes (6% - 12%) are the main problems with soils having Moderate limitations. Usually greater care in locating systems in these areas and good maintenance of installed systems can overcome most of these limitations. Soils in this category are usually well suited for low density residential development.

Hayes Township Septic Limitations Map

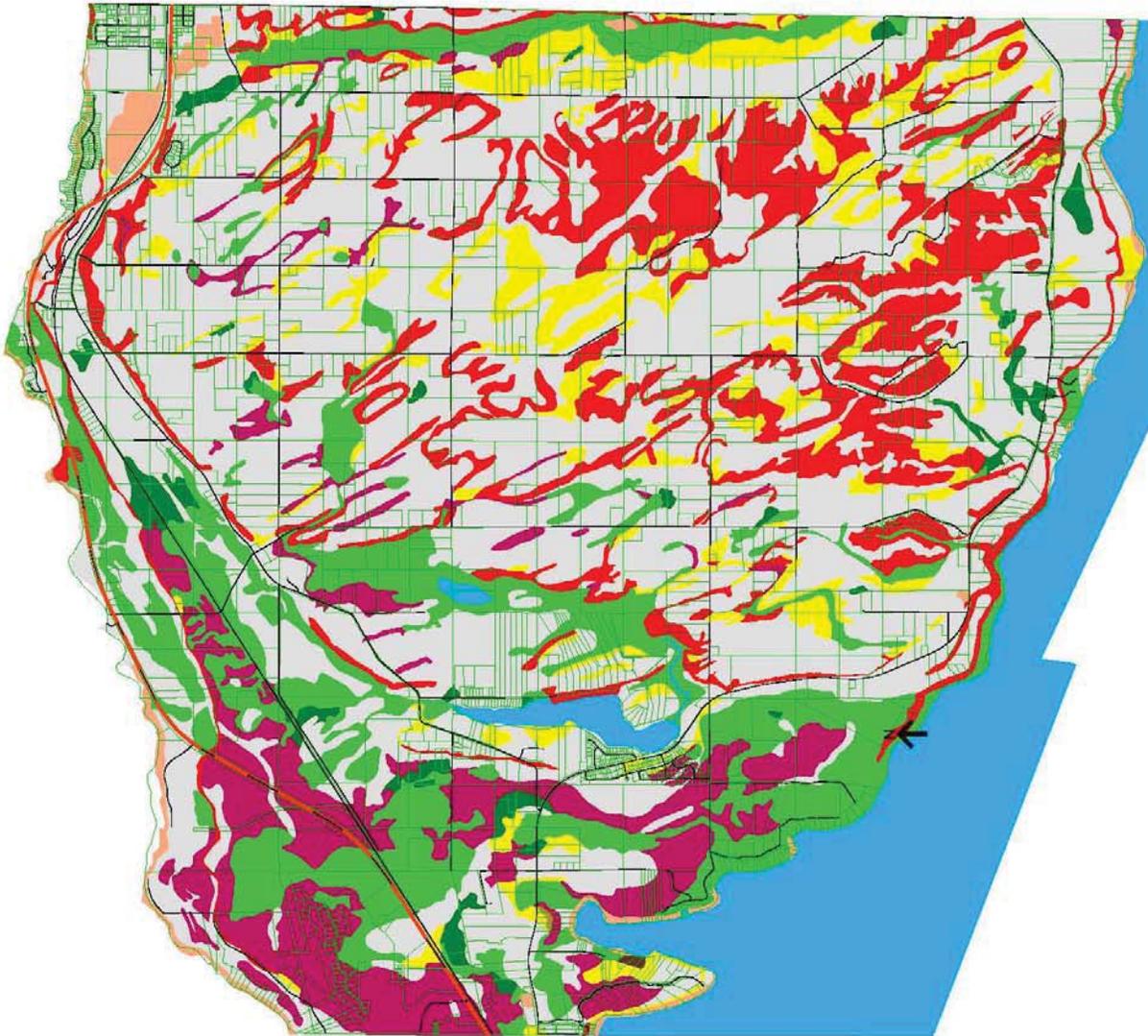
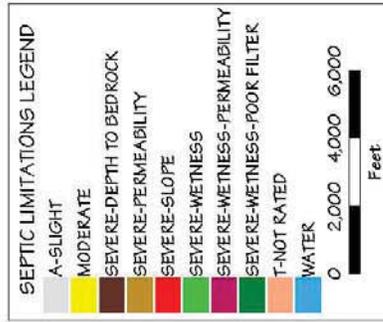


Figure 3-1

Sources:
Michigan Department of Natural Resources,
Charlevoix County GIS Department,
and M.C. Planning & Design

Prepared by: M.C. Planning & Design

Soils rated as Severe usually possess a combination of limitations including wet areas, slow percolation rates, shallow soils over bedrock, or steep slopes (12% - 25%). In addition, some soils in these areas also have poor filtering capabilities. Siting of septic systems in these areas is usually somewhat difficult. These areas are usually only suited for extremely low density residential development, unless served by alternative waste disposal systems.

Additionally, the soils rated as Severe-Poor Filter are unable to properly filter out contaminants. This greatly increases the potential for pollution of groundwater. Accordingly, only extremely low density residential development is recommended in these areas. While percolation rates are usually good in these areas, moderate to steep slopes (6% - 25%) may cause difficulties in siting systems in some areas.

Farmland Soils

Prime farmland soils possess fertility, nutrient-holding capacity, texture, drainage, and slope characteristics that make them well suited to crop and forage production. These soils are considered important on a national basis. Soils characterized as “prime if drained” possess all of the above characteristics when artificially drained. Important farmland soils possess all of the above characteristics, though slope is between 6 and 12 percent. These soils are highly productive when conservation tillage practices are used.

Forestland Soils

Forestland soils are rated on the basis of their timber production potential and are classified as either national or regional.

Soils classified as national are capable of producing greater than one cord, or 1,000 board feet of timber per year per acre, and are considered important on a national basis. Soils classified as regional are considered important on a regional and state basis, and are capable of producing from one-half to one cord, or from 500 to 1,000 board feet of timber per acre.

Slope

Degree of slope influences the capability of land to accommodate septic systems, roadways, building foundations, and other improvements. Slopes of 12 percent or less are typically viewed as presenting slight limitations to development.

Slopes between 12 and 18 percent present limitations that must be overcome by careful site planning, building design, and construction methods. Michigan Department of Public Health standards for septic system absorption fields indicates that slopes in excess of 12 percent are to be avoided. Slopes in excess of 18 percent are generally considered unsuited to development. Such slopes can be suitable for timber management, passive recreation, wildlife habitat, and other low-intensity uses.

Groundwater

The majority of residents in the region and township rely on groundwater as their sole source of drinking water. Groundwater is susceptible to pollution from a variety of land uses. Once groundwater is polluted, it is difficult, if not impossible, to remediate pollution in an efficient and cost effective manner. An aquifer vulnerability map previously prepared for the Township by the Charlevoix County Cooperative Extension Service indicates the potential for groundwater contamination throughout the Township is high based on the limited ability of soils to filter or protect the groundwater resource.

CHAPTER 4 EXISTING LAND USE

Pattern of Land Divisions

As development occurs, larger tracts of land are generally broken down into smaller parcels. Therefore, studying the existing pattern of land divisions is one way to analyze the status of land use and development. Land division patterns for Hayes Township are discussed below.

The largest land owners in the Township are Dunmaglas Development Company with over 700 acres and Consumers Energy with nearly 440 acres. This Consumers Energy property served as the former Big Rock Point nuclear plant, which closed in 1997. Following the Big Rock Restoration Project, the property is available for re-use. Approximately 100 acres of the former Big Rock facility is owned by Entergy Corporation which holds the spent fuel rod casks and a buffer area. Additionally, the Little Traverse Conservancy owns some large parcels as well, totaling approximately 400 acres. Privately held tracts ranging in size up to approximately 200 acres are scattered throughout the interior of the Township.

Small tracts and subdivisions are primarily located in the vicinity of Bay Shore and along the Southwest portion of Susan Lake. Other small tract land divisions are occurring as small parcels along the roads are split from larger parcels. In terms of land division patterns, it is worth noting that some of the newer residential developments in Hayes Township are being created as site condominiums rather than traditional subdivisions. A site condominium does not actually create lots by land division. Therefore, a site condominium project may continue to appear as a large, undivided tract when it has already been converted to relatively dense residential use.

Existing Land Use Statistics and Characteristics

Hayes Township's land area is 28.3 square miles. The map of existing land use, shown as Figure 4-1, illustrates the distribution of land uses within the Township. Table 4-1 shows the percent of the township in each land use category. The existing land use map is a compilation of data from Charlevoix County, the State of Michigan, Township Planning Commission input, and additional field checking.

Little Traverse Bay Band of Odawa Indians property

The Little Traverse Bay of Odawa Indians currently has 140 acres in Hayes which is held in trust with the United States. Because federally recognized tribes have sovereign nation status, exclusive jurisdiction for Native American affairs rest with the Tribe. However, lands held in trust with the United States of America are governed by Tribe and Federal jurisdiction. Local units of government have no control over where the Tribe purchases land and what land is taken into trust for the benefit of the bands (where a casino is built). The Township should continue to pursue intergovernmental relations with the Tribe to stay informed of development plans and build positive relations with Tribal leaders. Communications with the Tribe indicate housing is planned for the 80 acre trust property located on Murray and Upper Bay Shore Roads.

TABLE 4-1: Existing Land Use HAYES TOWNSHIP		
Land Use Category	2007	
	Acreage	Percent of Township
Forested	6,807.09	35.2
Wetlands	3,900.01	20.2
Agricultural	3,123.33	16.1
Nonforest	2,487.06	12.9
Residential	1,967.09	10.2
Recreation	590.92	3.1
Industrial/Extractive/Util.	237.56	1.2
Water	143.67	0.7
Commercial	55.46	0.3
Beaches	28.91	0.1
TOTAL	19,341.10	100.0
Source: Michigan Resource Information System, Charlevoix County, Hayes Township Planning Commission and MCP&D.		

Forests and Wetlands

Forests, which include upland hardwoods and conifers, account for over 35 percent of Township land area in 2007. Heavily wooded areas are found throughout the Township, as can be seen in Figure 4-1. Of the forested land, approximately 400 acres are protected in conservancy preserves additional private lands are protected through conservation easements, see Chapter 6 for more details.

Wetlands include land that has sufficient water at, or near, the surface to support wetland or aquatic vegetation. These areas are commonly referred to as swamps, marshes, or bogs. Wetland areas may also include land which supports lowland hardwoods and conifers. Wetland information was not verified by field inspection when these maps were compiled. Thus, the areas shown as wetlands by Michigan Resource Information System (MIRIS) may not actually meet State and Federal criteria for legally regulated wetlands.

Wetland areas comprise more than 20 percent of the Township in 2007. As illustrated in Figure 4-1, a significant portion of the wetlands in the Township are located in the northwest portion of the Township. Wetlands also occur in scattered locations throughout the Township which have not been developed.

Agricultural

As shown in Table 4-1, agricultural lands occupy more than 16 percent of Township land area in 2007. As is illustrated in Figure 4-1, the active agricultural lands are dispersed across the Township.

The agricultural classification also includes agricultural lands which have been placed in the Conservation Reserve Program. This program pays farmers to remove certain erodible lands from agricultural production.

Nonforested

The nonforested land category consists of herbaceous open and shrub land. As shown in Table 4-1, the percent of nonforested land in the Township is nearly 13 percent in 2007. Nonforested lands are scattered throughout the Township, as shown in Figure 4-1.

Residential

As can be seen from Table 4-1 and Figure 4-1, the amount of land being used for residential purposes was approximately 10 percent of the township in 2007.

The pattern of residential development within the Township is shown in Figure 4-1. Residential use has been the land use along the lakeshores of Lake Charlevoix and Susan Lake. Additionally, small tract land divisions continue to occur along many of the Township roads.

Recreation and Institutional

Recreation currently comprises about three percent of Hayes Township. The public recreation lands in Hayes Township primarily consist of Dunmaglas golf course and the Charlevoix Country Club. Churches, cemeteries and municipal facilities are included in the institutional portion of this category.

Industrial/Transportation/Extractive

Table 4-1 shows a combined percent for industrial and extractive uses. As of 2007 this land category makes up less than two percent of the Township. Also included in this category are transportation and utilities, such as utility line corridors.

Commercial

Table 4-1 shows that the amount of land developed as commercial in Hayes Township is one percent and is comprised of a few businesses along US-31 at both the eastern and western edges of the township.

Hayes Township Existing Land Use/Cover Map

2007

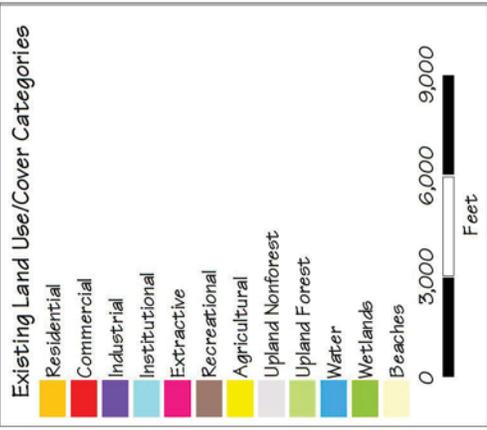
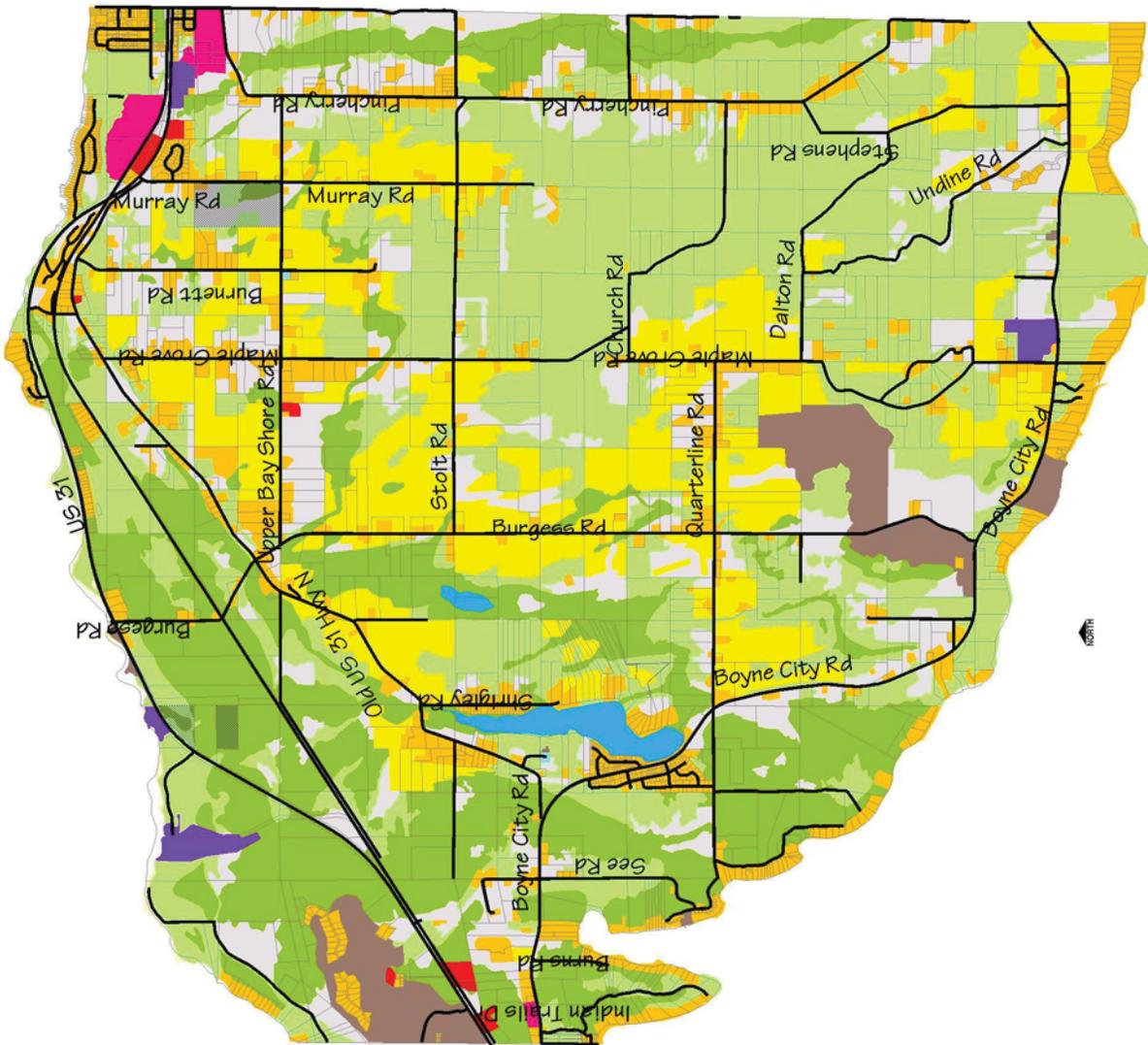


Figure 4-1

Sources:
Michigan Department of Natural Resources,
Charlevoix County GIS Department,
and M. C. Planning & Design

Prepared by: M. C. Planning & Design

CHAPTER 5 TRANSPORTATION

Approximately 43 miles of county and local roads serve the township. Two major traffic routes or primary roads, three secondary, and many lesser traveled roads connect Hayes Township to the cities of Charlevoix, Boyne City and Petoskey. U.S. 31 N from Bay Shore to Charlevoix, running approximately east-west, follows the shoreline of Lake Michigan. US 31 N. is a major daily commuting route for people employed in the township and other communities. The highway is also a major carrier for long distance automobile and truck traffic serving cities further north and south. In summer, it becomes a major tourist route. Available traffic count data provided by the Charlevoix County Road Commission indicates a 24-hour average daily traffic count (ADT) of 6,700 vehicles on U.S. 31 near Big Rock Road, and 9,700 vehicles on U.S. 31 at Townline Road.

Boyne City Road, C-56, parallels the Lake Charlevoix shore between Charlevoix and Boyne City. Year-round the Boyne City Road is a major commuter route between Boyne City and Charlevoix. It has a high truck usage and serves as a linking road connecting Charlevoix with highways leading to Interstate 75 at Gaylord. In summer, this road also becomes a major tourist route. Pincherry Road from Church Road north to Upper Bay Shore and through to US 31 N. serves as a secondary road. Upper Bay Shore Road links Pincherry Road and Old US 31 N which is also a well traveled secondary road. Old U.S. 31 N from the Boyne City Road north to US 31 N. links the Boyne City Road with the highway to and from Petoskey.

Public transportation through Hayes Township is limited to the Charlevoix County Transit Authority Bus System, which operates by reservation only. School buses provide transportation for children to Charlevoix, Petoskey, and Boyne City schools. All township roads are under the jurisdiction of the Charlevoix County Road Commission. The Hayes Township Board decides which road projects need improving and is responsible for funding these improvements from the township level.

Given the predominantly residential character of the township, major improvements to existing roadways are not likely to be needed other than routine maintenance of existing road surfaces (resurfacing, shoulder work, drainage improvements, etc.). If the low development patterns follow the existing and planned low density and intensity mix of land uses along most major roadways (U.S. 31 and Boyne City Road), major arterial roadways will not likely need to be widened to four or five lanes. Major intersections may require upgrading as traffic increases, though needed improvements will likely be relatively minor.

CHAPTER 6 PARKS, RECREATION & COMMUNITY FACILITIES

An overview of park, recreation and community facilities found in the Township is as follows:

State Owned Parks and Properties

Kennedy Park is located on the Lake Michigan Shoreline on US 31 North. The park is owned and operated by the State of Michigan. Improvements include a parking area, vault toilets, a pump for drinking water, a picnic area and parking for a scenic view of the lake. A public boat launch with a gravel parking area is located east of Kennedy Park near the intersection of U.S. 31 and Burgess Road. A public access with a boat launch to Susan Lake is located near Old U.S. 31.

Township Parks/Recreation Facilities

Public access to Lake Michigan is available at three road ends: 1) near Nine Mile Point; 2) at Townline Road, and; 3) at Bayside Park, an undeveloped parcel, suitable for foot traffic.

Public access to Lake Charlevoix is available at the end of Maple Grove Road and the end of Eastern Avenue near Pine Point on the Township border. The Eastern Avenue access point was improved by the township in cooperation with the Pine Point Association and the Charlevoix County Road Commission. This access includes a swimming beach and picnic area.

The Charlevoix Swimming Pool is owned and operated by the non-profit group Friends of the Pool and is open to the public.

Conservancy Land

Thirteen parcels of lakefront, woodland and/or wetland, totaling approximately 460 acres, have been acquired by the Little Traverse Conservancy from private owners, either as donations or by purchase. The Dixon Conservancy is located on Oyster Bay. The Loeb Conservancy is located on Lake Michigan. The Ransom Nature Conservancy on Maple Grove Road overlooks both Lake Michigan and Lake Charlevoix, and includes a hardwood forest with hiking trails maintained for public use. The most recently protected preserve in the Township is the Nathan Barry Driggers Memorial Preserve located along the Boyne City-Charlevoix Road, which was established as a preserve in 2007. The conservancy preserve properties are open to the public.

The Greensky Church off of Old U.S. 31 North is on the National Register of Historic Sites. This historic Native American gathering site, and later mission, is maintained by the Methodist Church for the public.

Additionally, approximately 885 acres are protected under conservation easements. The easement properties are not open to the public.

Cemeteries

Two cemeteries are located in Hayes Township. Undine Cemetery on the Boyne City Road is maintained by the township. Greensky Cemetery is located on property known as Greensky Hill. Now under the jurisdiction of the United Methodist Church of Horton Bay, this is a landmark burial ground of the Chippewa people. An unmarked ancient Native American burial site exists to the north of Division Road across the railroad tracks off Townline Road, north of Bay Shore.

Private Recreational Facilities

The Charlevoix Rod and Gun Club, which is approximately 106 acres, is a firearms range open to members and their guests.

The Susan Shores Subdivision Park at Susan Lake is private, open to members and guests. This private park provides picnic and playground facilities. Michigan Shores Subdivision provides picnic and playground facilities site on the Lake Michigan shoreline.

Camp Seagull is a private summer camp located on Lake Charlevoix east of Burgess Road and is 20 acres in size.

Dunmaglas, a privately owned golf course, is open to the public, with over 700 acres in the total development.

Police, Fire & Emergency Medical Services

Police protection is provided by the Charlevoix County Sheriff's Department and Michigan State Police. Fire Protection is provided by the Charlevoix Township Fire Department. A building housing a pumper and tanker owned by Charlevoix Township is located on property adjacent to the Hayes Township Hall.

Dry hydrants, tapping on-site water sources, are located at Horton Creek on the Boyne City Road; at Horton Creek and Church Road; at Stolt Road and Horton Creek; on Shrigley Road near Susan Lake; at the Boyne City Road Park on Susan Lake; and at Burnett Road and Upper Bay Shore. In addition, an existing pond at LexaLite on US 31 North serves as a water source. Additional dry hydrants will be installed throughout the township, based on future fire committee recommendations.

The City of Charlevoix Fire Department and Allied EMS, provide ambulance service to the township. Patients are transported to either Charlevoix Area Hospital in Charlevoix, or the Northern Michigan Hospital in Petoskey.

Schools

The Township is served by three School Districts. The majority of township children attend Charlevoix Public Schools. The eastern portion of the township is within the Boyne City Public School District. The Bay Shore area is within the Petoskey Public School District. Additionally, some students from the township attend area private or charter schools in Charlevoix, Boyne City and Petoskey.

Public Utilities

Electrical service is provided by Great Lakes Energy, which maintains one transformer in the township. Telephone service is provided by AT&T. A natural gas line enters the township at its southeastern corner, with service provided by DTE.

A cable television company offers service to some areas of the township, but most households depend on rooftop antennas or, in a few cases, satellite dish antennas. Internet service is available from a number of providers.

Sewage Disposal & Water Supply

Most township residents and businesses rely on private septic systems for sewage disposal. The Charlevoix Country Club is serviced by the Charlevoix Township water supply system and the City of Charlevoix's municipal sewage system. The Pine Point subdivision is also served by

the City's sewage system. The City of Petoskey's system extends to the Bay Harbor PUD in Resort Township, approaching but not serving Hayes Township from the east.

CHAPTER 7

STRATEGIC GOALS, POLICIES & ACTION PLANS

In developing community goals and policies, it is important to analyze existing community characteristics, such as: social and economic features, environmental resources, available services and facilities, and existing land use. In addition to examining existing characteristics, another important tool in the development of community goals and policies is to identify community assets, problems and other issues to be addressed.

In preparation for writing this Master Plan, Hayes Planning Commission actively sought input from the Township residents through a community input questionnaire, community workshops and master plan work sessions.

Goals, policies and action plans serve as the foundation for a strategy that can be used in an ongoing process of influencing growth and development over the short and long-term. This strategy consists of three elements:

1. Goals

A goal is a statement that describes a desired vision of the township's future. In this case, goals identify the desired results of an on-going land use planning program in general terms. The following statement is an example of a goal:

Retain and enhance the Township's scenic and rural character.

2. Policies

Policies establish a mind-set for decision makers in the never ending process of accomplishing goals. The following statement is an example of a policy:

Township official will work with developers and land owners to implement design standards that preserve scenic viewscapes, topography, wetlands, streams, and natural vegetation.

3. Actions

Actions are the steps that must be taken by township officials to implement policies and accomplish goals. The statement that follows is an example of an action:

Amend the township zoning ordinance to establish flexible open space and cluster residential land development regulations as a means of preserving natural and scenic resources, farmland, forestland, and open space.

If goals and policies are taken to heart, and if a commitment to taking each action is made, then the township will have taken the first strategic step toward influencing the township's future. Participants in the planning process identified goals, policies and actions for a variety of subject areas (note that the following goals have been gleaned from the 1995 draft of the Land Use Plan prepared by the Planning Commission). A complete listing appears on the following pages.

Community Character, Natural Resources & Open Space Goals

Maintain the integrity of open space, ecosystems and wildlife habitats. Preserve wetlands, shorelines, topography, and woodlands diversified by age and species.

Scenic viewsheds are among the most cherished local natural resources. They will be protected.

Shorelines and wetlands will be protected.

For the purpose of this plan, Hayes Township's character comprises a variety of elements that dominate the community's landscape, including tree-lined roadways, scenic vistas that are unbroken by areas of concentrated development, ridges, hillsides, and ravines, undeveloped shoreline areas, wood lots and larger wooded areas, farms, farmsteads, and farm buildings, other undeveloped open space, and the relative absence of commercial and industrial development.

Policies

Township officials will strive to identify and preserve historic and scenic features.

Township officials will strive to preserve open space consisting of farmland, forestland, wetlands, and land not suitable for development on the basis of limitations imposed by severe soil limitations.

Township officials will strive to accommodate development by encouraging clustering of new residential development as a means of maximizing the preservation of open space and natural resources.

Actions

Township officials will take the necessary steps to retain existing state-owned lands along the U.S. 31 corridor in public ownership in perpetuity.

The zoning ordinance will be amended to assure that new development occurs in a manner that protects the natural and aesthetic character of environmentally sensitive areas through the use of site planning techniques that preserve or enhance natural and aesthetic features.

The zoning ordinance will be amended to specifically provide for the establishment of residential subdivisions and condominium projects developed using rural clustering standards within permitted densities. These standards should address, at minimum, density, percentage of open space to be permanently protected from development, the treatment/preservation of natural features (surface water, wetlands, woodlands, wildlife habitat), lighting, signage, and stormwater management.

Planning & Land Use Goal

Plan for and guide new development that preserves renewable resources and open space, protects environmentally sensitive areas, and maintains the historically rural character of Hayes Township.

Policies

The Township Board and Planning Commission will actively promote the preservation of farmland, open space, wetlands, shorelines, scenic viewsheds, and wildlife habitats.

The township will strive to enact zoning ordinance standards for residential, commercial and industrial development that require the protection of environmentally sensitive areas and minimize the fragmentation and destruction of open space.

The township will strive to review this plan and the zoning ordinance at five-year intervals.

Avoid locating incompatible land uses within close proximity to one another. Limit the expansion of legal nonconforming uses. Accommodate mixed-use land development projects using the Township Zoning Ordinance Planned Unit Development (PUD) regulations.

Manage access from the township's roadway system to adjacent property by precluding the establishment of excessive numbers of driveways.

Action

Designate areas of the township suitable for agricultural, residential, public, commercial and industrial development.

Water Resources Goals

Protect and Preserve ground and surface water for all township residents.

Limit the impact of waterfront development to maintain the quality of adjoining surface waters.

Policies

The township will strive to protect groundwater from the harmful effects of intensive and incompatible development.

The township will strive to protect the high quality of surface waters by assuring that sediment and nutrient laden runoff from developed areas and construction sites is effectively treated before reaching bodies of water and water courses.

Actions

The township will adopt groundwater protection regulations that can be administered during site plan review or other zoning ordinance review and approval procedures.

Maintain vegetative buffer strips along shorelines and watercourses.

Educate the public regarding the township's reliance on groundwater resources.

Encourage the maintenance septic systems on a regular basis to assure proper and safe functioning over the long-term.

New development along the shorelines of Lake Charlevoix, Lake Michigan, and Susan Lake will not exceed one dwelling per 100 feet of shoreline frontage.

Review the community sewer policy periodically, updating it to be sure it meets the continuing needs of the township.

<i>Farmland related Goals</i>
Encourage farmland preservation.
Protect the economic viability of farming and forestry operations.

Actions

Work with township farmers and farm groups to identify those farm areas (parcels at least 40 acres in size exhibiting prime farmland or forestland soils) most likely to remain economically viable for renewable resources management and those areas most likely to convert to other use.

Adopt zoning regulations that require land uses adjoining existing farming operations to establish adequate buffers to protect the viability of farming operations. Non-prime farm and forest lands within areas of prime farm and forest soils should be considered as appropriate for new development provided that natural resources (wetlands, steep slopes, important wildlife habitats, etc.) are protected to the greatest extent feasible. Adopt flexible open space zoning regulations to accommodate development in such non-prime areas.

Allow for and encourage farmland protection, such as through the transfer of development rights (when available), purchase of development rights, conservation easements and the clustering of non-farm development.

<i>Residential Goal</i>
Retain the Township's rural and scenic character, while providing for suitable housing opportunities for the varied economic and lifestyle needs of the residents.

Policies

Designate areas appropriate for all types of residential development including single family, multi-family, condominium, low to moderate-income rental complexes, and extended care facilities.

Encourage participation with Michigan State Housing Development Authority (MSHDA) programs along with other local efforts to rehabilitate substandard housing and to provide needed moderately priced housing in the Township.

Preserve the integrity of existing residential areas by protecting them from intrusion of incompatible uses.

Actions

Require a buffer between Residential uses and other more intensive uses.

<i>Community Services, Facilities & Recreation Goal</i>
Maintain and improve the Township facilities, programs and systems consistent with the community needs and the ability to finance the improvements.

Policies

Emergency service vehicles will have unimpeded access to all developed areas of the Township.

The Township will encourage the use of new technology that may be developed which could replace the individual septic system and, consequently, may not require the expansion of municipal sewer services.

Actions

Provide for the development of public, non-motorized recreational trails for hiking, bicycling, cross-country skiing and horseback riding.

Provide for public access on Lake Charlevoix, including a boat launch.

Pursue acquisition of land for a Township Park.

<i>Transportation Goals</i>
Maintain all roads in a safe condition and work cooperatively with the County Road Commission.
New subdivisions and site condominium projects should be served by interior access roads.
Rural and scenic roads through agricultural areas, open areas and forested lands should be maintained as such.
Encourage and support the expansion of non-motorized, multi-use pathways throughout the Township.
Encourage business development and redevelopment to occur in designated development areas along the U.S. 31 corridor.

<i>Corridor Goals - Boyne City Road and U.S. 31</i>
U.S. 31 corridor and Boyne City Road will be preserved as scenic roadways.
Provide practical and functional locations and regulations for commercial and industrial development that minimize their impact on adjacent land uses and maintain high levels of aesthetic character.
Encourage business development and redevelopment to occur in designated development areas along the U.S. 31 corridor.

Policies

Township officials will strive to identify a limited number of appropriate locations for future commercial and industrial development.

Township officials will strive to assure that future commercial and industrial development does not adversely impact the normal use and enjoyment of adjacent land by requiring appropriate setbacks, buffers and landscaping.

Township officials will strive to prevent the establishment of strip commercial development and will avoid spot-zoning practices.

Actions

Limit access along the U.S. 31 Corridor and Boyne City Road to prevent commercial and industrial strip development and encourage clustering.

Existing commercial and industrial areas will be accommodated by zoning regulations and practices that support the retention and/or redevelopment of existing business uses and the establishment of new business uses as designated by this plan.

Adopt zoning regulations and practices that require the incorporation of design features for business development that assure the preservation of the Township's scenic and rural character.

Incorporate driveway standards into Zoning Ordinance to facilitate improved emergency access.

CHAPTER 8 FUTURE LAND USE PLAN & STRATEGY

At present, Hayes Township is a scenic lakefront township which is primarily forested, agricultural and rural residential in the interior portions of the Township. Lakeshore living is available along the shores of Lake Michigan, Lake Charlevoix and Susan Lake. While active agricultural uses have declined from historic levels, the remaining active farms and the associated “open space” are highly valued by the local residents.

Through land use planning and land use controls, Hayes Township intends to work to ensure that the shorelines are protected, the existing agricultural, rural residential and recreational uses can continue, and reasonable growth can be accommodated with minimal land use conflicts or negative impacts. Based on the social, economic and environmental characteristics of the Township, ten general categories of land use, and one overlay, have been identified to serve existing and future development needs. These categories are listed below:

- Conservation and Parkland
- Farm/Forest
- Resort/Recreation
- Rural Residential
- General Residential
- Waterfront Residential-an overlay to General Residential
- Mixed Use Residential
- Mobile Home Park
- Commercial
- Neighborhood Business
- Light Industrial

Conservation and Parkland

The Conservation and Parkland category includes existing parkland, as well as land owned and /or protected by a land conservancy under conservation easements. Uses proposed in the Conservation and Parkland area include public forestry, wildlife habitat, public recreation, and similar open space uses.

Farm/Forest

The Farm/Forest land use category has been designated consistent with the Township's goal to encourage farmland preservation and to recognize the importance of economic viability of farming and forestry operations. The Township will encourage innovative methods of preserving farmlands, farming, open space, natural resources, and the rural character of the Township, and at the same time assist landowners who want to reduce or discontinue farming. The methods could include innovative zoning provisions that allow for the preservation or conservation of essential natural resources, farmland, or open space, such as innovative agricultural tourism related businesses. Some methods which other communities have employed to help protect and preserve agricultural land while protecting a landowner's economic investment, include the Purchase of Development Rights (PDR), Transfer of Development Rights (TDR), clustering requirements for non-agricultural uses, and tax breaks or incentives for continuing agricultural use. It is recommended that these alternatives be investigated for possible application in Hayes Township, as a way to balance economic rights with agricultural preservation goals. Allowance of commercial wind energy conversion units or commercial wind turbine generators will be considered in these areas as a potential additional means of preserving farmland.

Resort/Recreation

The Resort Recreation land use category is primarily designed to accommodate golf-related resort and surrounding residential uses. It is recognized that this development provides for recreational open space as part of the development. The residential uses in this area are intended to have a density of no greater than of one unit per 5 acres.

Rural Residential

A Rural Residential land use category has been designated consistent with the Township's goal to "retain the township's rural and scenic character, while providing for suitable housing opportunities..." . While the designation of the Rural Residential land use category will not prevent the conversion of farmland to other uses, it will help to control the scale and rate of conversion and direct attention to areas where farmland conversion may be an issue. The Rural Residential category is intended to have a maximum density of one unit per 5 acres.

General Residential

The General Residential category is designed to accommodate single family dwellings at a maximum density of one unit per 2 acres. This development is located on roads with light vehicular traffic. No municipal water or sewer service is anticipated to be available in the near future. Buffers or physical separation from potentially incompatible uses (industrial and agriculture) may be necessary when located adjacent to this type of development. Additional provisions are recommended to be incorporated into the Zoning Ordinance to allow for a cluster development pattern to avoid or minimize development impacts on environmentally sensitive areas, forests or farmland. This Residential land use category strives to maintain an ecologically sound balance between human development activities and the environment in order to retain the Township's scenic and rural character.

Mixed Use Residential

The Mixed Use Residential category is primarily designed to accommodate single-family, two-family, and multiple-family dwellings on lots varying in size. Higher density residential uses, such as apartments, townhouses, condominiums, convalescent or nursing homes, and manufactured home developments would be allowed provided the water and wastewater issues can be adequately addressed. Community uses such as parks, churches, schools, or cemeteries, in addition to golf courses, resorts, home occupations (utilizing space outside dwelling unit), and bed and breakfast facilities may also be allowed in this area if designed to be compatible with the residential setting. Small commercial businesses which serve the surrounding area would be allowed, provided they are compatible with the surrounding residential character.

Waterfront Residential Overlay

The Waterfront Residential Overlay category is designed to preserve the scenic beauty, property value and environmental integrity of lakefront areas. With such a specialized designation it will be possible to develop residential standards specific to the unique environment found in waterfront areas. The Waterfront Residential designation is utilized in shoreline areas of existing lakefront residential development. Development regulations within the waterfront residential area should be designed to address Township residents' concerns regarding water quality and shoreline protection.

Mobile Home Park

The Mobile Home Park category is designated to specifically acknowledge the existing park and encourage the continuation of this land use in this location. This existing park, in combination with existing mobile home parks in close proximity to the Township, currently adequately meet the need for this land use, consequently additional land is not designated at this time.

Commercial

Commercial category is designated to accommodate small to moderate scale commercial needs of the Township. This area is located on US-31 just west of Bay Shore

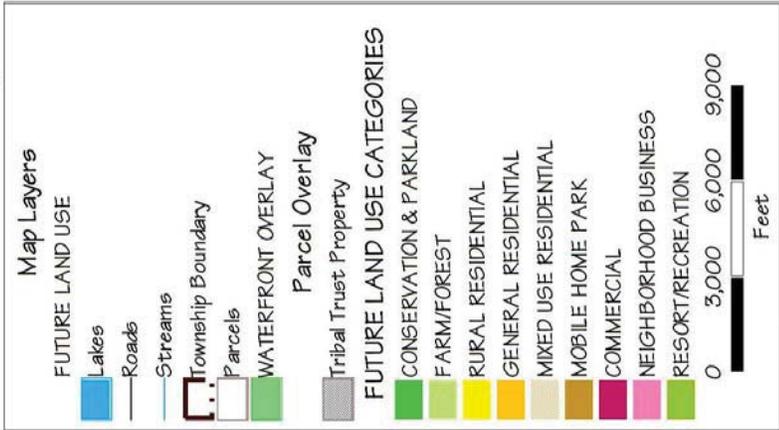
Neighborhood Business

The neighborhood business category is designated to provide for small businesses that either serve the surrounding residential uses and/or are compatible with such residential uses.

Light Industrial

Light Industrial category is designated to accommodate light industrial uses compatible with the limited services available and the environmental sensitivity of much of the Township. Due to the availability of industrial property in the cities, where appropriate services are provided, Hayes Township believes the local industrial needs can be adequately met during the planning process without designating additional land for such in this Township.

Hayes Township Future Land Use Map

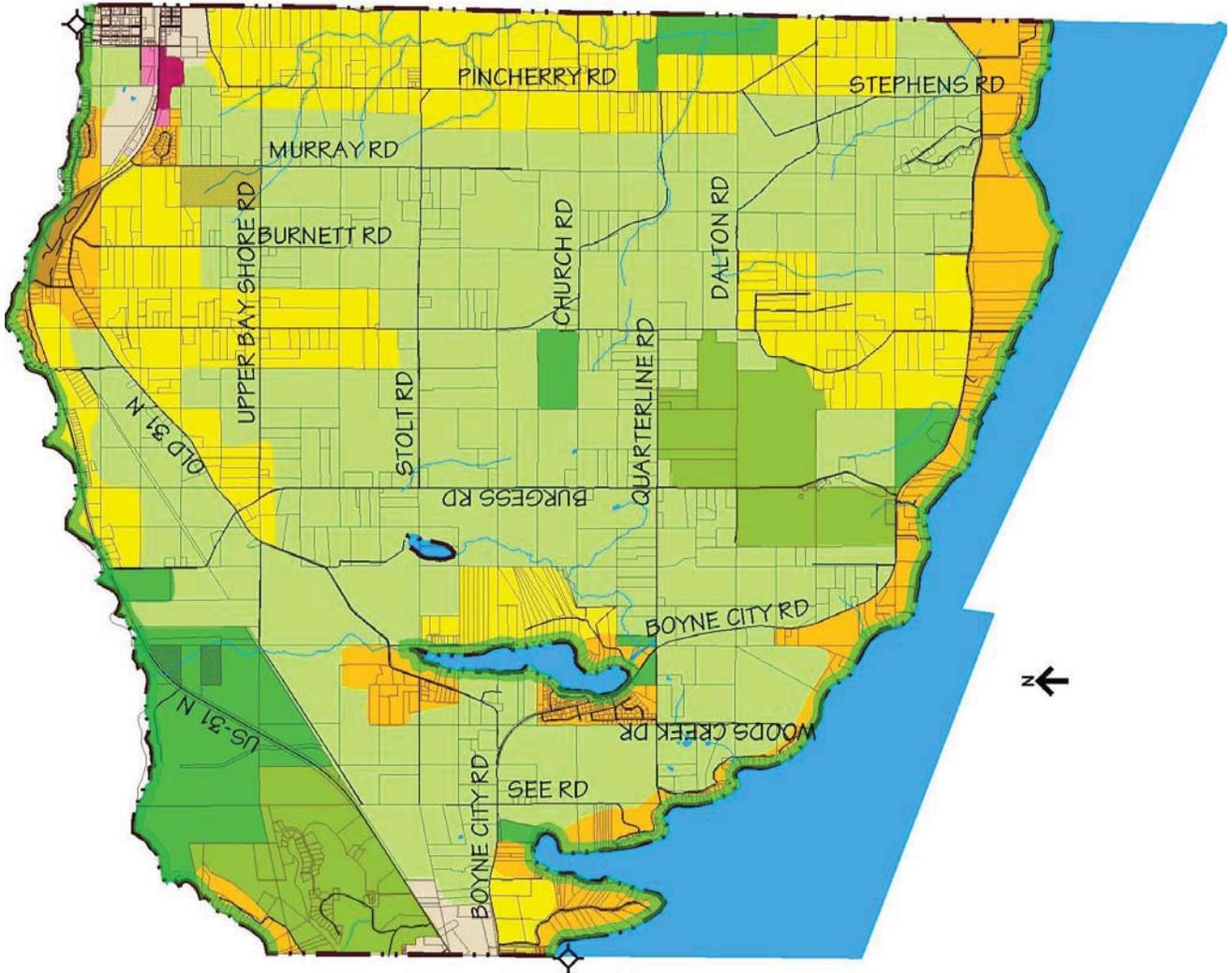


Hayes Township Park

Figure B-1

Sources:
Michigan Department of Natural Resources,
Charlevoix County GIS Department,
and M. C. Planning & Design

Planning Commission Adopted July 2008
Township Board Adopted August 2008



CHAPTER 9
PLAN ADOPTION AND IMPLEMENTATION

Draft Plan Circulated for Comments

The draft Hayes Township Master Plan was transmitted to the Township Board for review and comment in February 2008. The Township Board approved the draft plan for distribution on February 11, 2008. Following the Board's approval for distribution the proposed plan was distributed to the adjacent Townships (Bay, Charlevoix, Evangeline, Eveline, Marion, Resort), the City of Charlevoix, as well as to the Charlevoix and Emmet County Planning Commissions on February 26, 2008 for review and comment. The only comments were received from Charlevoix County Planning Commission, and are provided below.

Charlevoix County Planning Commission Minutes

**Excerpt from
DRAFT Meeting Minutes
April 10, 2008
Hayes Township Hall**

Hayes Township Master Plan Update

Sullivan reviewed the Planning Department Staff Report on the proposed Hayes Township Master Plan Update – 2007/2008. He complimented Hayes Township on their efforts to update their Master Plan, noting that the proposed, new plan has the potential of greatly altering the manner in which Hayes Township is developed in the future.

Sullivan said some minor grammatical and spelling corrections are needed, but these were not included in the Staff Report. Staff will provide these separately to Hayes Township officials and/or directly to their consultant for consideration.

Sullivan said, in a number of instances, the terms Township Planning Enabling Act and/or Township Zoning Enabling Act are mentioned. He said it might be worthwhile to acknowledge that both of these acts have been superseded by the Michigan Planning Enabling Act (2008) and the Michigan Zoning Enabling Act (2006). While Staff recognizes that efforts to develop this plan may have begun prior to one or both of these acts being signed into law, Sullivan said it would be helpful for those reading the plan to recognize that the new acts are currently in place and are already in effect (MZEA) or will take effect later this year (MPEA).

Referring to Chapter 4 Existing Land Use, page 4-1, second paragraph under "Pattern of Land Divisions", Sullivan noted that the Consumers Energy property is reduced in size as a result of the sale of approximately 100 acres to Entergy Corporation. This 100-plus-acre piece of land holds the spent fuel rod storage casks and a surrounding buffer area. Sullivan said it would be worthwhile to acknowledge this land sale and the fact that the fuel may be stored on this property for a lengthy period of time into the future.

Referring to page 4-2, second paragraph, Sullivan said it would be helpful to spell out the acronym MIRIS. He said it is spelled out in Table 4-1, but the initials are not included at that point so a reader would not necessarily relate the use of the initials in the text with the spelled out terminology in the table.

In reference to the Existing Land Use/Cover Map on page 4-4, Sullivan said some of the colors are difficult to differentiate, so it may be worthwhile considering different colors, especially for the commercial and the extractive categories, which are both shades of red.

Referring to Chapter 5 Transportation on page 5-1, Sullivan said, given all of the discussion regarding the condition of the Boyne City-Charlevoix Road, it may merit some mention or discussion in the plan, especially given that the plan will be updated in 5 years and, with some degree of luck, the road will be completed by then, at which time the language in the plan could be changed back to the way it currently reads.

Commissioner Drebenstedt said, according to Commissioner Shirley Roloff, the County Road Commission is planning to wait until the November general election to present a ballot proposal to the public for fixing roads. Commission members and Staff speculated as to why the Road Commission might be waiting until the general election to put this proposal on the ballot, as opposed to putting it on the primary ballot. Sullivan said it was his understanding that the ballot proposal might not be a millage for fixing roads; rather, it may be a millage to be used to retire bonds, with those bonds being used for road repair.

Referring to Chapter 6 Parks, Recreation & Community Facilities, page 6-1, Sullivan said it might be helpful for the residents of the Township to include a map showing the location of parks, publicly owned lands and conservancy lands in the Township.

Referring to Chapter 7 Strategic Goals, Policies & Action Plans, page 7-2, Sullivan said the Township may want to consider rewriting the first statement under "Actions" to read as follows: "Township officials will take the necessary steps to retain existing state-owned lands along the US-31 corridor in public ownership in perpetuity." Sullivan said the State is considering selling some of their land holdings in the County, including some in Hayes Township.

Referring to page 7-3, Sullivan suggested rewriting the first statement under "Action" to read as follows: "Designate and zone those areas of the Township that are suitable for agricultural, residential, public, commercial and industrial development for those respective uses."

On page 7-5, third statement under "Policies", Sullivan suggested inserting the word "them" between the words "protecting from".

On page 7-6, Sullivan said the "Actions" listed at the top of the page do not seem to relate to the "Policies" listed at the bottom of page 7-5.

Sullivan suggested that the first Action at the top of page 7-6 might be better under the Transportation Goals.

Given the current efforts to develop a non-motorized trail between Boyne City and US-31, Sullivan said perhaps additional policies and action statements related to the trail should be included in the plan.

Referring to Chapter 8 Future Land Use Plan & Strategy, page 8-1, under “Farm/Forest”, Sullivan said the second sentence currently reads as follows: “The Township will encourage methods of preserving farmlands, farming, open space, natural resources, and rural character of the Township, and a the same time assist landowners who want to reduce or discontinue farming.” Sullivan suggested rewriting the sentence as follows: After the second use of the word Township, the comma should be replaced with a period; the remainder of the sentence should be replaced with a new sentence that reads as follows or that would have a similar effect: “The Township will work with agricultural land owners to insure that economically viable uses of the land are allowed, while minimizing the amount of land that is removed from agricultural production.”

Referring to the Future Land Use Map on page 8-4, Sullivan said he had a number of concerns. First, the colors are difficult to distinguish from one another, especially the red shades. Second, it looks like the Tribal Trust property is located in the Bay Shore area as opposed to being at the corner of Murray and Upper Bay Shore Roads. In addition, the property lines are shown in gray, which adds to the confusion. Third, it is difficult to distinguish between the colors used for the Mobile Home Park and the Commercial categories.

Sullivan recommended that all of the areas on the Future Land Use Map be depicted by curving boundaries or amorphous shapes (blobs) as opposed to following hard and fast along property lines. He said the map should show general areas as opposed to specific properties.

Sullivan questioned the rationale for having a separate category for Neighborhood Business and limiting that use to the properties located adjacent to the area designated for future Commercial Use. He suggested merging the Neighborhood Business and the Commercial categories, noting that the differences between the two classifications in the written text are minor.

Ethel Knepp explained they are trying to provide for “cottage” industries and home-based businesses in the Township, and these land uses would fall into the Neighborhood Business category as opposed to the Commercial category.

Sullivan expressed concern with including the Dunmaglas Golf Course in the Farm/Forest category on the Future Land Use Map. Ethel Knepp explained that the Dunmaglas property was designated as Farm/Forest because it is currently zoned Agricultural. Sullivan emphasized that since this land probably will not be used for agricultural purposes long term, it may be better to classify this area as Conservation & Parkland or potentially Mixed Use Residential. Sullivan noted that designating this area as Farm/Forest may give property owners and/or developers in other areas of the Township the idea that they could rezone their property to Rural Residential (RR-1) and split it into 5 acre parcels. This would not be desirable from the Township’s perspective

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because some of the property proposed for rezoning to RR-1 might be good quality agricultural land.

Sullivan suggested considering a Farm category as opposed to Farm/Forest on the Future Land Use Map because most of the land in the Township is well suited for growing trees. There is not a lot of land that is well suited for agriculture, and much of the land is not in parcel sizes that would make it conducive for agricultural purposes. Sullivan said the Farm category could be designed to evolve over time, such as through transfer of development rights or farmland development rights.

Sullivan expressed concern that the Big Rock area is designated as Farm/Forest with a Waterfront Overlay on the Future Land Use Map. He emphasized that a considerable amount of time and effort has been expended by the Township, the County and other groups to have the Big Rock property acquired for public recreational use. Therefore, it might be better to designate this area as Conservation & Parkland. Sullivan explained that when the State considers whether or not to purchase a piece of property, such as Big Rock, they typically look at the township plan to see how that particular area is designated on the Future Land Use Map.

Ethel Knepp recommended that the Township Planning Commission consider the County's comments at their upcoming work sessions.

It was noted that the Township Planning Commission will hold a public hearing on this plan in May or June.

Referring to page 1-3, second line from the top of the page, Ferguson said it seems like the statement about maintaining historic features should include preserving natural features and the rural character of the Township because these points are made throughout the plan.

Referring to page 3-1, third bulleted item on the page, Ferguson asked about the meaning of the word "littoral". Solomon said this term refers to an area along a stream. Ferguson suggested selecting a different word that is more commonly understood.

Also on page 3-1, second to last bulleted item, Ferguson said the word "runoff" should be inserted after the word "stormwater". Draves said he thought the statement was correct as it was written in the plan because they would be treating stormwater, not stormwater runoff.

Referring to page 8-1, under "Farm/Forest", Ferguson said the last sentence seems too general. She asked if any property owners in the Township have expressed interest in wind turbine generators. Ferguson emphasized that some people like wind turbines, while others object to them as detracting from scenic views. She noted efforts by Heritage Sustainable Energy to "sign up" property owners in townships south of Charlevoix as being interested in having commercial wind turbines installed on their property. Wieland confirmed that Hayes Township will be included in the future plans of Heritage Sustainable Energy.

Referring to page 8-2, first sentence under "Waterfront Residential Overlay", Ferguson asked who is recommending this designation. Sullivan suggested a change in wording to clarify the statement as follows: "The Waterfront Residential Overlay category is designed to preserve the scenic beauty, property value and environmental integrity of lakefront areas."

Ferguson said, overall, she thought the proposed plan was readable and a good effort by the Township.

Solomon said he reviewed the proposed Hayes Township plan in the context of the new County plan as though the County plan had already been adopted. He said the goals of the two plans are consistent, but there are major differences between the future land use maps. Referring to the Draft County Future Land Use Map hanging on the wall, Solomon pointed out the areas in Hayes Township where he had identified inconsistencies between the two maps. He said the biggest differences are found in the southwest and west areas. On the Township map, most of the southwest and west areas are designated Farm/Forest. On the County map, these same areas fall within the "Urban" boundary. He said the County Planning Commission is projecting that in 20 years there will be outgrowth in this area from the City of Charlevoix. Solomon said inconsistencies can also be found in the southeast portion of the Township. The Township map designates this area as Farm/Forest, while the County map shows it as Rural Residential. Solomon acknowledged that the County plan is more generalized than the Township plan. However, it would be disappointing if the two plans were adopted with these inconsistencies. He said there has to be some way to resolve these differences on the Township end and the County end.

Draves suggested the County Planning Commission look at how our County map compares to the future land use maps for the other local units of government in the County. Sullivan noted we already have a large composite map of all the local future land use maps in the County. Marlene Golovich said the Township does not even have a future land use map in their plan that is currently in effect. Ferguson suggested providing a copy of the Draft County Future Land Use Map to Hayes Township for reference. Sullivan confirmed that Staff could provide copies of the map. The local officials present at the meeting said this would be helpful.

MOTION by Draves, seconded by Ferguson, to recommend approval of the proposed Hayes Township Master Plan Update – 2007/2008 with consideration being given to the comments in the Planning Department Staff Report as well as the comments in the minutes of this meeting. Voice vote: all in favor. Motion carried.

Marlene Golovich asked Sullivan to give the suggested grammatical and spelling corrections directly to the Township's planning consultant.

Public Hearing

A public hearing on the proposed Master Plan, for Hayes Township as required by the Township Planning Act, Act 168 of 1959 as amended, was held on July 23, 2008. The Act requires that two notices of public hearing be given, the first to be published 20-30 days prior to the public hearing, and the second to be published not more than eight days prior to the public hearing. Notice of the public hearing was published in the Charlevoix Courier on July 2, 2008 and July 16, 2008. A copy of the public hearing notice is reproduced at the end of this chapter. During the review period, the draft plan was available for review on the Township's website, at the Charlevoix Library, or by contacting the Hayes Township Clerk.

The purpose of the public hearing was to present the proposed Master Plan to accept comments from the public. In addition to the Planning Commission members, two Township Board members, and three residents and/or business owners of the township attended the public hearing. Minutes from the Public Hearing are provided at the end of this chapter.

The public hearing began with a brief explanation of the planning process. Plan development included several Planning Commission and steering committee workshop meetings, and public input sessions. During the hearing, maps of existing land use, color coded resource, and proposed future land use recommendations were presented.

Plan Adoption

At a Planning Commission meeting following the public hearing on July 23, 2008, the Planning Commission discussed the comments received and took action to formally adopt the Hayes Township Master Plan - Update, including all the associated maps.

Per the Township Planning Act (PA 168 of 1959, as amended), on August 11, 2008, the Township Board asserted the right to approve or reject the plan. The Township Board formally adopted the plan on August 11, 2008.

Legal Transmittals

Michigan planning law requires that the adopted Master Plan be transmitted to the Township Board, as well as to the adjacent Townships and the County Planning Commission. Copies of these transmittal letters appear at the end of this chapter.

Plan Implementation

A Master Plan is developed to provide a vision of the community's future. It is designed to serve as a tool for decision making on future development proposals. A Master Plan will also act as a guide for future public investment and service decisions, such as the local budget, grant applications, road standards development, community group activities, tax incentive decisions, and administration of utilities and services.

According to the Michigan Zoning Enabling Act, comprehensive planning is the legal basis for the development of a zoning ordinance. Section 203 of the Act states: "The zoning ordinance shall be based on a plan designed to promote the public health, safety and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to insure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population; to provide adequate light and air; to lessen congestion of the public roads and streets, to reduce hazards to life and property; to facilitate adequate provision for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements,

and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous use of land resources, and properties."

Zoning

The Zoning Ordinance is the most important tool for implementing the Master Plan. Zoning is the authority to regulate private use of land by creating land use zones and applying development standards in various zoning districts. Hayes Township is covered by the Hayes Township Zoning Ordinance regulating land use activities. The first Zoning Ordinance was adopted in 1974. The current ordinance was last amended in 1999. The Zoning Ordinance should now be reviewed to ensure the Ordinance is consistent with the goals and the Future Land Use as presented in this Master Plan. Hayes Township intends to update the Zoning Ordinance consistent with the Township's vision for the future and provide development options to better meet the goals of this plan.

Grants and Capital Improvement Plan

The Master Plan and Recreation Plan can also be used as a guide for future public investment and service decisions, such as the local budget, grant applications and administration of utilities and services. Many communities find it beneficial to prioritize and budget for capital improvement projects, such as infrastructure improvements, park improvements, etc. A Capital Improvements Program (CIP) is one tool which is often used to establish a prioritized schedule for all anticipated capital improvement projects in the community. A CIP includes cost estimates and sources for financing for each project, therefore can serve as both a budgetary and policy document to aid in the implementation of a community's goals defined in the Master Plan.

Hayes Township Notice of Public Hearing

Hayes Township

Master Plan Update - Public Hearing

The Hayes Township Planning Commission will hold a public hearing on proposed the Hayes Township Master Plan Update at **7:30 pm** on **Wednesday, July 23, 2008** in the Hayes Township Hall at 09195 Old US-31, Charlevoix.

All interested parties are invited to attend the hearing and comment on the proposed Master Plan Update. The proposed Master Plan Update is available on-line at www.charlevoixcounty.org/hayes.asp. Additionally, hard copies can be viewed at the Charlevoix Public Library or Hayes Township office by appointment for additional information, contact Marlene Golovich, Hayes Township Clerk at (231) 547-6961 or Jonathan Scheel, Zoning Administrator at (231) 342-9025. Written comments may be submitted in advance of the public hearing to: Clerk, Marlene Golovich, Hayes Township Hall, 09195 Old US-31 N, Charlevoix, MI 49720.

**Hayes Township Planning Commission
Master Plan Public Hearing
July 23, 2008**

Chair Marilyn Morehead called this Master Plan Public Hearing to order at 7:30 p.m. at the Hayes Township Hall, 09195 Old US 31, Charlevoix.

Planning Commission members present were Marilyn Morehead, Rich Burnett, Steve Wilson, Ed Bajos and Cliff Biddick. Terry Ayers and Doug Kuebler were absent. Also present were Secretary Marlene Golovich, ZA Jonathan Scheel and Planner Mary Campbell. Audience members were Jim McMahon, Diane McMahon, Ethel Knepp and Melvyn Thayer.

Chair Morehead turned the meeting over to Mary Campbell of MC Planning & Design. Mary stated that this meeting is a Master Plan Public Meeting to gather public comment regarding the proposed Master Plan update.

Jim McMahon asked if Mary could give a brief overview. Mary stated that the Master Plan should be reviewed and updated every five years. It is a policy document used as a guide to future growth and development for the Township. Mary briefly outlined each section of the plan and opened the floor to public comment.

Jim McMahon stated that he had concerns regarding the mixed use residential area on the future land use map and how development along this area might impact the area where he lives. Much of the land is uphill from him and he is concerned about water runoff. Mary stated that any future development in this area will be addressed by the Planning Commission at a public hearing. As any development occurs it is the Planning Commissions responsibility to take into consideration any impact on the surrounding areas.

Marlene Golovich asked why the proposed Boyne City to Charlevoix non-motorized trail was not included in the Plan. Mary stated it is on page 7-6 under actions for Community Services as well as under Transportation Goals.

Marlene Golovich asked if it should be added to the Parks and Recreation section. Mary stated that if the Planning Commission wished to have it added it could be done. Chair Morehead stated it should be added to the Parks and Recreation section as well as the existing non motorized trail on US 31.

Marilyn Morehead asked if the potential park purchase was in the Plan. Mary stated it was also on page 7-6 under Goals.

Jonathan Scheel stated he would like to see Bayshore Steel added to page 1-5 top paragraph.

Mary asked if the PC wanted to add a general comment regarding future land use and the impact of the surrounding area as development occurs. Cliff Biddick stated that it is the job of the Planning Commission to consider the impact and no comment is necessary in the Master Plan.

Jim McMahon again referred to the future land use map on page 8-4 and his concern for the H&D property that is only 100 feet wide and runs from their gravel pit to Lake Michigan. His concern is the potential for funneling. Ethel Knepp stated that the Township is also concerned with any funneling and the Planning Commission will address it if any development in this area occurs. It was also explained that the mixed use residential area does not extend all the way to Lake Michigan.

At 7:55 p.m. the public comments portion of this hearing was closed.

Mary Campbell stated that at this time the Planning Commission has the option to adopt the Master Plan with the changes suggested or wait until the changes have been added. Marilyn Morehead stated that the PC should consider the adoption now and allow Mary to make the changes.

Mary presented a potential resolution for adoption. She also explained that the PC adopted the Master Plan but the Board could also adopt it with a resolution of support.

Cliff Biddick made a motion, supported by Steve Wilson to adopt with suggested changes:

WHEREAS, the Hayes Township Planning Commission desires to adopt a master plan, entitled *Hayes Township Master Plan Update – 2007/2008 Update* and has made the necessary inquiries, investigations and surveys of the appropriate resources of the township; and

WHEREAS, this master plan will promote the public health, safety and general welfare; to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings or people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and consider the character of the township and its suitability for particular uses judged in terms of such factors as the trend in land and population development; and

WHEREAS, the Hayes Township Planning Commission has noticed and conducted a public hearing in accordance with the requirements of the Township Planning Act (Public Act 168 of 1959, as amended), said hearing was held on July 23, 2008 following distribution of the draft plan to the planning commissions of the adjacent townships, Charlevoix County Planning Commission and Emmet County Planning Commission on February 26, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Hayes Township Planning Commission hereby adopts the *Hayes Township Master Plan Update – 2007/2008 Update*, including all maps, descriptions, goals, other text, the future land use plan and other matter intended by the Planning Commission to form the Master Plan.

YEAS: Steve Wilson, Cliff Biddick, Ed Bajos, Marilyn Morehead and Rich Burnett

NAYS:

ABSENT: Doug Kuebler and Terry Ayers

RESOLUTION DECLARED ADOPTED.

The Master Plan will now be sent out to the County and adjacent Townships.

Without objection the hearing was adjourned at 8:07 p.m.

Respectfully submitted

Marlene Golovich, secretary

Minutes approved as written August 19, 2008

**HAYES TOWNSHIP BOARD
MINUTES
August 11, 2008**

The regular meeting of the Hayes Township Board was called to order by Supervisor Ethel Knepp at 7.33 p.m.

Board members present were Marlene Golovich, Robbin Kraft, Douglas Kuebler, Jim Rudolph and Ethel Knepp. Audience members were Paul Hoadley and Mark Dhaseleer.

REVIEWED AGENDA

CLERK PRESENTS

MINUTES – Doug Kuebler made a motion, supported by Jim Rudolph to approve the July 14, 2008 Board meeting minutes as written. Motion carried unanimously.

INVOICES – Doug Kuebler made a motion supported by Jim Rudolph to approve invoices totaling \$105,917.14 with Robbin transferring \$89,099.48 from the road accounts and \$16,817.66 from the general fund accounts. Motion carried unanimously.

CORRESPONDENCE - Any correspondence received by the Clerk was provided to the Board members for their review.

REPORT FROM PLANNING COMMISSION – Marlene Golovich reported that the Planning Commissions regular meeting was canceled due to lack of quorum. The PC held a public hearing on July 23, 2008 to hear public comments on and adopt the updated Master Plan.

TREASURERS REPORT – Robbin Kraft presented a written report.

SUPERVISORS REPORT - Supervisor Knepp stated she contacted the Road Commission regarding the Maple Grove Road projects indicating the Board's consensus to approve the bid from H&D.

TRUSTEE REPORT – Jim Rudolph stated he attended a seminar on wind energy at the Charlevoix High School. He stated it was very informative. Paul Hoadley also attended and suggested that the PC use the new LED technology in their lighting section of the ordinance.

ZONING ADMINISTRATOR REPORT – No ZA report due to illness.

BLIGHT ADMINISTRATOR REPORT – No report received.

EXTERIOR STAIN OF HALL – Ethel Knepp will contact a few people regarding price etc. to

stain the exposed wood on the exterior of the Township Hall.

PARKS AND RECREATION PLAN – Jim Rudolph made a motion, supported by Doug Kuebler to accept the contract from MC Planning and Design to prepare a Parks and Recreation Plan for a price not to exceed \$2500.00 + expenses and to authorize the Clerk to sign said contract. Motion carried unanimously.

Clerk Golovich informed the Board that the Olds-Anderson property that was being looked at for a potential park was sold to the adjoining neighbors.

MASTER PLAN RESOLUTION – Ethel Knepp made a motion, supported by Marlene Golovich to adopt the following resolution:

WHEREAS, the Hayes Township Board desires to adopt a master plan, entitled *Hayes Township Master Plan Update – 2007/2008 Update* and the Hayes Township Planning Commission has made the necessary inquiries, investigations and surveys of the appropriate resources of the township; and

WHEREAS, this master plan will promote the public health, safety and general welfare; to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings or people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and consider the character of the township and its suitability for particular uses judged in terms of such factors as the trend in land and population development; and

WHEREAS, the Hayes Township Planning Commission has noticed and conducted a public hearing in accordance with the requirements of the Township Planning Act (Public Act 168 of 1959, as amended), said hearing was held on July 23, 2008 following distribution of the draft plan to the planning commissions of the adjacent townships, Charlevoix County Planning Commission and Emmet County Planning Commission on February 26, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Hayes Township Board hereby adopts the *Hayes Township Master Plan Update – 2007/2008 Update*, including all maps, descriptions, goals, other text, the future land use plan and other matter intended by the Planning Commission to form the Master Plan.

YEAS: Marlene Golovich, Doug Kuebler, Robbin Kraft, Ethel Knepp and Jim Rudolph

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

MAPLE GROVE ROAD BIDS – Doug Kuebler made a motion, supported by Jim Rudolph to accept a bid from the lowest bidder, H & D, Inc., for 1.10 miles of grading, bituminous wedge, overlay and aggregate shoulders on Maple Grove Road (Dalton Rd. North 5,825 – ft), for \$182,461.43 with an October 18, 2008 completion date.

Roll Call:

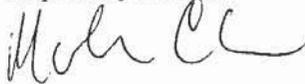
Marlene Golovich	Yes
Robbin Kraft	Yes
Ethel Knepp	Yes
Jim Rudolph	Yes
Doug Kuebler	Yes

Motion carried unanimously.

Paul Hoadley asked if this is a County primary road why we weren't paving it all the way to the Boyne City Road. Doug Kuebler stated it would be too expensive. Doug also stated that next year the Township will need to seal coat Burgess Road.

Doug Kuebler made a motion, supported by Jim Rudolph to adjourn the meeting at 8:10 p.m.
Motion carried unanimously.

Respectively submitted



Marlene Golovich, Clerk

Minutes approved as written September 8, 2008.

M. C. Planning & Design

Community Planning Site Planning Landscape Architecture

Letter of Transmittal

If transmitted items are not as noted, notify writer immediately.

To: Adjacent Townships and Counties

Date: December 12, 2008

Transmitted By: Regular Mail Overnight Delivery

Attn: Clerks and Planning Commission Chairs

Hand Delivered

Picked Up By:

RE: Hayes Township Master Plan Update - Adopted

Other.

We are transmitting 1 copy(s) of the following:

<input type="checkbox"/> Certification for Payment No.	<input type="checkbox"/> Discs	<input type="checkbox"/> Prints	<input type="checkbox"/> Specs.
<input type="checkbox"/> Change Order No.	<input type="checkbox"/> Drawings	<input type="checkbox"/> Product Literature	<input type="checkbox"/> Tracings
<input type="checkbox"/> Construction Change Req. No.	<input type="checkbox"/> Field Measure Plans	<input type="checkbox"/> Samples	<input type="checkbox"/> Work Orders No.
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Plans	<input type="checkbox"/> Shop Drawings	_____

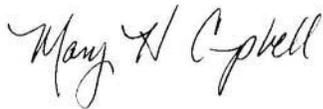
Other: Adopted Master Plan Update for Hayes Township

For your: Action As Requested Information Review/Comment Use
 Approval Distribution Records /Files Signature

Remarks: As per the state planning statutes, I am transmitting the adopted Master Plan Update to you on behalf of Hayes Township Planning Commission. If you have any questions please call me at (231) 487-0745.

Thank you for your attention to this matter.

Job No. HAY



By: Mary H. Campbell, ASLA, AICP

cc: Marilyn Morehead, Hayes Township PC Chair
Marlene Golovich, Hayes Township Clerk & PC recording secretary

504 Liberty Street Petoskey, MI 49770
Phone: (231) 487-0745 Fax (231) 487-0746 E-mail: mcampbell@mcplanningdesign.com

Appendix A

Public Attitude Survey (1998)

Appendix A

Public Attitude Survey

The Township conducted a public survey in 1998 to solicit information about the attitudes of township residents and property owners. Responding to the survey, residents and property owners voiced their opinions on issues and priorities facing the township in the coming years. This section of the plan presents a summary of responses to survey questions regarding the following issues:

- Natural resource protection and conservation;
- Farming;
- Residential development;
- Commercial and industrial development; and
- Recreational opportunities.

Methodology

Surveys were mailed to 1,700 registered voters and property owners listed on the township's voter registration and tax records. An unknown number of the surveys were undeliverable as mailed due to insufficient or outdated address information. Four hundred surveys (twenty-four percent) were returned for analysis.

The survey contained 62 questions. Twenty-one of the questions were about natural resource protection and conservation issues, four about farming, eight about residential development and zoning, eight about commercial and industrial development, fourteen about specific land use allocation issues, and seven about public services and recreational opportunity issues.

Analysis

Select questions from each section are presented with percentages of respondents for each opinion category. Respondents who "strongly agree" and "agree" are frequently grouped together as are those who "strongly disagree" and "disagree." Those questions that respondents answered that they "didn't know" what their opinion was or those to which there was no response, indicate that additional information about development options and property rights for Hayes Township constituents may be needed. For this reason, they are frequently grouped together and presented with the other more definitive responses.

Overview of Respondents

The largest age of class of the 400 respondents was comprised of those between 46 and 55 years of age (23.75%). This was followed closely by the 36 to 45 year-old age group (22%) and the over 65 age group (21.5%). Of the remaining respondents, 17.5% are 56-65 years, 12.75% are 26-35 years, and a very small percentage (1.25%) are 18-25 years.

More than one-half of the respondents (65.5%) indicated that they are permanent residents of Hayes Township. Seasonal residents made up only 17.75%. Fifteen percent of the total respondents indicated that they are not residents of Hayes Township and are most likely property owners residing elsewhere.

A majority of the respondents (78.25%) own a home in Hayes Township and more than half (64.25%) are registered voters. The highest percentage of total respondents (23%) have lived in Hayes Township for 20 years or more, followed by 1 to 4 year residents (18%), 10 to 14 year residents (16%), and 5 to 9 year residents (15.5%). Low numbers (9%) indicate they had lived 15-19 years in the township and 9% less than 1 year. The remaining percentage did not respond and are most likely made up of property owners who are not residents.

The largest percentage of respondents described where they live as the Lake Charlevoix/Susan Lake area of the township (37.5%), followed by the Bayshore area (26.25%), central township area (15.25%), and Pincherry Road area (10.75%).

The most common amount of land owned by respondents is 6-10 acres (19.5%). Eighteen percent of the total respondents own less than 1 acre, 16% own 3-5 acres, and almost 11% own more than 41 acres.

Thirty percent of the respondents stated that they own waterfront property. Twenty-two percent said they use their land for agricultural purposes. Fifteen percent said they participate in farming activities in Hayes Township.

Almost 3/4 of those who own more than 41 acres stated that they use their land for agricultural purposes indicating that a majority of large property owners in Hayes Township consider their land agricultural. Of those respondents who own 11-20 acres, 40% said they used land for agricultural purposes.

Natural Resources

General attitudes concerning the importance of protecting the natural resources of Hayes Township:

When asked how important it is to protect the natural resources of the township respondents showed a clear interest in the protection of scenic county roads, scenic views of lakes, farms and fields, groundwater resources, water quality, wetlands, wildlife habitats and forestlands. An overwhelming majority of township residents feel strongly that these resources are important and should be protected. Water resources (lakes, streams, and groundwater) were mentioned

more frequently than any other resource as extremely important.

Attitudes concerning water issues:

Water resources are clearly the main concern of the majority of respondents. More than 90% feel it is extremely important to protect the quality of lakes and streams. More than 80% feel that groundwater resources were extremely important, and more than 60% feel that wetlands were extremely important. Residents and property owners also feel that these resources should have

active protections applied. More than 3/4 of the respondents (83.5%) feel that all waterways should have protective “greenbelts” along them.

Attitudes relating to water and sewer issues:

Over half (60%) of respondents agree that private sewer and septic systems should have a regularly required inspection to protect water quality and 59% feel that housing density should be planned so that public water/sewer systems are not necessary. It should also be noted that seven respondents suggested in the General Comments Section of the Survey that they would like a public water and sewer system investigated.

Concern about overcrowding on the lakes:

A substantial majority of respondents are concerned about overcrowding on the lakes. Eighty four percent of the 400 respondents agree or strongly agree that they are concerned. How strongly one feels about overcrowding on the lakes is significantly correlated to whether one owns waterfront property or not. This dependency is statistically dependent. Fifty three percent of those who do not own waterfront property strongly agreed, compared to 36.44% of those who do own waterfront property. Because of this concern, more than 80% of residents and property owners overall also agree that new shoreline developments should have a limited number of boats slips to prevent overcrowding.

Attitudes relating to the role of the township in protecting natural resources:

When asked how Hayes Township should protect and conserve its resources, residents and property owners chose “requiring open space in new developments” over other protection measures. Eighty-two percent agree. This was followed by other protection measures including: stricter regulations (64.75% agree), land purchases (55.75% agree), a special millage (18.25% agree), and a real estate tax (11% agree). The high percentage of those who responded that they “Didn’t Know” how they feel about a special millage (28.25%) indicates that respondents may benefit from additional information about a millage and the possibilities it holds for protecting priority resources.

Farming Issues

Attitudes towards agriculture as an important land use:

It is clear that residents and property owners of Hayes Township responding to the survey feel that agriculture is an important land use and should be encouraged (84.5% agreed with Question Z). Ninety percent of those who said they use their land for agricultural purposes agreed with this statement. Two people mentioned in the general comments section that farmers should be given special tax relief for farming their land.

Attitudes towards creating a farm district:

When asked if a farming district should be created 48.5% agree and a high percentage, 24.5% don't know. This may be due to insufficient knowledge of what a "farm district" and "nuisance complaint" is and indicates that additional information on this issue would be helpful. Of those who stated they use their land for agricultural purposes, 37% strongly agree that a farm district should be created compared to only 17% of those who do not use their land for agriculture. This dependency is also true for the amount of land owned. Those who own more land agree more strongly that a farm district be created.

Attitudes towards farmers selling small pieces of land:

Almost 70% of the total number of respondents feel that the township should provide the means for farmers to sell off small pieces of their property not suited for farming while continuing to farm the remaining acreage. Of those who use their land for agricultural purposes, 44% strongly agree and 34% agree, 78% agreeing overall, that farmers should have the means to sell off small pieces of their land. The data show that the more land one owns the more strongly one agrees and disagrees with this statement. Of those who own 21 or more acres, 36.36% strongly agree that farmers should be able to sell off small pieces of land, compared to 14%, 14%, 33% for the remaining land ownership categories (less than 1 acre, 1-5, and 6-10 respectively). Interestingly, also 32% of those who strongly disagree with this statement own 21 or more acres, whereas just 8% who strongly disagree own less than 1 acre. Each of these land ownership categories make up about 20% of the total number answering this question.

Attitudes towards building near woodlands rather than on farmland:

Forty-one percent of the total respondents agree that additional development should be located near or in woodlands rather than on pre-existing farmland. A high percentage of respondents (20.5%) don't know if new development should be located near or in woodlands for the preservation of farmland recognizing the dilemma between preserving woodlands and wildlife habitats as well as the scenic farmland. Many people expressed concern in their comments about the loss of the woodlands that this statement implied.

Residential Land Uses

General attitudes concerning the pattern of development:

Echoing their attitudes towards natural resources, 76% of the survey respondents felt that development should be concentrated to preserve Hayes Township's natural resources. Over half (55%) felt that the Township should adopt a pattern of development that would reduce the amount of land converted to residential development and almost one fifth of the respondents, 19%, stated that they didn't know. In addition, 82% stated that development should be required to preserve open space while 76% stated that smaller lots should be surrounded by open space. Just under half of the respondents (47%) agreed that if the predominant zoning was one dwelling unit per 10 acres that this development should be clustered. In addition, 73% of the respondents preferred commercial development surrounded by open space i.e., cluster over strip development.

Data regarding the preservation of natural resources clearly show that Hayes Township residents and property owners feel very strongly about the area's natural qualities. This sentiment emerges several places throughout the survey.

Compared to this, the 47% response rate supporting clustering residences under a 1/10 acre zoning density may seem inconsistent. This lower response may indicate, although one can not be sure, that people may either be confused as to how one can cluster development while retaining the ten acre zoning density, or they may not agree with ten-acre zoning in general. It should be noted, however, that a significant number of respondents indicated that they would prefer 10 acres with clustered development rather than those who simply indicated a preference for conventional ten acre zoning. In summary, the high level of support for clustering (condensing and surround development with open space) demonstrates that a substantial portion of the respondents support the concept of cluster development if it is used to preserve the area's natural resources.

Attitudes concerning residential zoning density:

Over half of those responding agree that Hayes Township should provide additional opportunities for residential zoning density of one dwelling unit per 10 acres, and of these respondents who agree, 36% strongly agree. Over one third of the 270 who responded agree that there should be additional 5-acre residential density and almost 1/4 of the 263 people responding agree that there should be additional 2-acre zoning. Only 9% of the 243 responding agree that 3/4 acre zoning be increased.

Commercial and Industrial Land Uses

Attitudes towards industrial development:

Forty-one percent of the total respondents agree that they would like to see additional industrial development, 20% don't know, and 36% disagree, essentially an even split

between those who agree and disagree. Sixty-six percent of the total respondents agree that the township should invite additional commercial and industrial development when the Big Rock plant closes.

The highest percentage responding who agree with the statement that "additional industrial development should be limited to the pre-existing area along US-31" define themselves as being from the Lake Charlevoix and Susan Lake areas of Hayes Township. Of those who agree, 46.26% are from the lake areas of the township, or 65.5% of those from the lake areas agree. The highest percentage who disagree with the above statement define themselves as from the Pincherry Road area (16.84% of those disagreeing out of the total or 38.09% of Pincherry residents). Bayshore area residents and Central Township residents feel similarly on this issue. Over half (54.37%) of the Bayshore residents answering this question agree and half of the Central township area residents.

Attitudes toward commercial development:

More than half of Hayes Township residents overall seem to agree that additional commercial development should be encouraged. Sixty-one percent feel that this additional development should be located in the pre-existing commercial area of Bayshore.

How respondents feel about the Bayshore area expanding if new commercial space is needed is dependent upon the area of the township in which respondents live. For those who define themselves as living in the Lake Charlevoix and Susan Lake area (41.83% of the total), 72% agree that the Bayshore commercial area should expand rather than creating new commercial areas and 7.53% disagree (20.55% didn't know). For those living in the Bayshore area (29% of the total), 58% agree and 30% disagree, with just 11.88% stating they don't know.

Public Services and Recreation

Attitudes towards potential recreational opportunities:

Almost three fourths (74%) of total respondents strongly agree that bicycle paths should be created along the main roads, and 66% agree that a network of trails for horseback riding, and cross country skiing should be established. Furthermore, these residents feel Hayes Township should establish a public park for picnicking. Almost 50% strongly agreed that the township should acquire land for a public sports park.

Almost three fourths of the total respondents agree that the township should acquire land for public access to Lake Charlevoix. A higher percentage of people (82.35%) who do not own waterfront property also feel that the township should acquire land for public access to Lake Charlevoix. These respondents, who do not own waterfront property, make up 70% of the total number of respondents. This compares to the 50% of those who do own waterfront property and agree that the township should acquire land for lake access. The opinion of respondents as to whether they agree or strongly agree to this question is significantly dependent upon whether

they own waterfront property. Forty-two percent of those who do not own waterfront property strongly agree on this issue, compared to 11.97% of those who do own waterfront property.

General Comments Section

Respondents were asked to provide additional comments including what they like about Hayes Township and what they feel are some of the problems the Township should address.

Survey respondents offered an overwhelming number of positive comments about the rural character, open space, clean air and water found in Hayes. The township was also commended for its efforts to plan for growth.

More than any other problem addressed was the perceived lack of enforcement of the blight ordinance and interest in clean up as a priority for the township. Fourteen surveys specifically raised this concern including the condition of residential, commercial, and industrial buildings and properties. Addressed in 7 surveys was an interest in obtaining lakefront property on Lake Charlevoix for public access, boating, picnicking and preservation purposes. Seven surveys also mentioned an interest in public water and sewer system or the investigation thereof. The same number felt that roads were in need of better maintenance, repair, or improvements. Five surveys commented that bicycle paths should be established along the old railroad bed and/or Boyne City Road. One suggested that paved shoulders would be safer for bicyclist, walkers, and joggers. Six respondents suggested that the speed limits be decreased along Old 31. Other problems, from most often commented to least, included noise pollution (auto and boat traffic as well as dirt bikes), better zoning ordinance enforcement (regulations exist but are not enforced or are unevenly enforced, either too rigid or not at all), roaming cats and dogs, the limits on affordable housing options for those who can't afford 10 acre lots, better enforcement of regulations for the H & D Gravel Pit and concern about water pollution from the same, and the need for a sign ordinance.

Appendix B

US-31 Corridor Study (1996)

Appendix B

U.S. 31 Corridor Study

Introduction

This document presents a general plan for land along Hayes Township's U.S. 31 corridor, and is included as an element of the Hayes Township Comprehensive Plan in accordance with Section 6 (1) of the Township Planning Act (P.A. 168 of 1959, as amended). This sub-area plan is intended to:

- Provide a special geographic area plan that is consistent with the intent, purpose, and requirements of the Township Planning Act.
- Provide a legal and rational foundation for the Hayes Township Zoning Ordinance, and other ordinances adopted for the purpose of implementing this Plan.
- Provide goals and policies for future land use and development along the U.S. 31 corridor.
- Recognize the Corridor's stakeholders and interest groups by supporting the continued strength and vitality of business and industrial interests.
- Encourage the preservation and protection of natural and scenic resources.
- Promote the preservation of the area's tourism oriented economic base.
- Promote a pattern of land use that is consistent with the goals established during the planning process.
- Provide a tool for use by township officials during the process of reviewing future land development project proposals.

Issues & Goals

The township's Planning Commission established a U.S. 31 Corridor Committee consisting of selected Planning Commissioners and interested corridor property owners and business people. The committee was established to address concerns about the corridor's future from a land use, development, and appearance standpoint. The committee met several times during 1995 and 1996. Those meetings enabled committee members to identify issues likely to influence the U.S. 31 corridor over the short and long-term. The factors and issues include:

- Extent and location of existing residential, business, industrial, resource mining, and public land uses.
- Location of land held in public ownership.
- Perceived points of conflict between existing land uses.

- Perceived problems associated with access to existing land uses.
- Known or perceived traffic hazards.
- The potential for strip commercial or industrial development

The committee also developed short and long-term goals for land use and development along the corridor.

Short-Term Goals

- Delineate areas along the corridor for business, industrial and residential development.
Preserve the corridor's scenic qualities by preventing strip type development.
Provide for the safe and efficient flow of traffic along the corridor.
Preserve open space and scenic vistas to the greatest extent feasible.

Long Term Goal

- Develop a commerce/industrial park that will benefit the township's business and industrial interests. The location of this park will be established by a market driven competitive process.

Interviews With Corridor Business & Property Owners

A summary of comments made by corridor stakeholders during interviews conducted during the process of preparing this plan are outlined below. The comments reflect answers to questions about the land use and development issues raised during U.S. 31 Corridor Committee and Township Planning Commission meetings. The comments are useful in that they provide anecdotal evidence of stakeholder viewpoints on corridor issues.

- Wish to maintain scenic qualities and characteristics of corridor. Do not wish to see businesses completely screened from view from roadway. Keep corridor scenic while preserving profitability of businesses located (and that may locate) along roadway. There are folks in the township who are anti-industry.
- Believes the township should support the Little Traverse Conservancy's mission. Doesn't want strip malls or strip development. There is a need in the area for additional commerce/industrial park space that can be targeted toward high-tech industries.
- No thoughts on current pattern of development along corridor. Would not relocate if comparable space was available in commerce/industrial park (with or without sewer).
- Doesn't want to see housing developments along corridor due to traffic safety issues (conflict with kids/pedestrians).

- Would like to expand building. Would not relocate, though relocation would be nicer for employees in some ways, and less so in others. Doesn't want to see major commercial development (strip or otherwise) along corridor. Doesn't want to see proliferation of signs.
- New development should maintain appropriate setbacks, and be subject to reasonable sign regulations. Would like to see other types of employers offering year-round jobs paying better than \$5.00 an hour. Future employers should locate in commerce/industrial park as opposed to developing in strip fashion.
- Would like to see an attractive, well designed industrial park that retains natural vegetation between building sites. Size of parcel and building are fine, though may expand or rebuild at some (unspecified) point in the future.
- Likes location because it is zoned for the use conducted. Believes most business, service and redevelopment will occur along 31 between Petoskey and Townline Road. Doesn't envision substantial mounts of commercial development.
- Location is exceptional. Has no plans to expand size of building at current location, though would consider building additional space in an industrial park if sewer and water utilities were available. Has no reason nor plans to relocate over short or long-term. The township needs sewer and water in order for a commerce/industrial park to be competitive with similar facilities in other communities. Is concerned about zoning as it relates or may apply to the sale of property.
- Thinks township was anti-business 20 years ago. Township needs to take steps to preserve scenic qualities (lake views) by purchase or by establishment/donations of conservation easements. Methods/standards/regulations intended to preserve scenic qualities should be flexible enough to preserve profitability of future business development. Methods should provide trade-offs and/or give-and-take between township and developers/business owners.
- Visibility of interviewee's business is not essential during daytime. Doesn't agree with standards that might require solid, 30' wide greenbelt/buffer. Agrees with standards that might require attractive/ornamental landscaping. Believes portion of corridor between Townline Road and railroad viaduct presents a poor image due to physical state/appearance of some homes and businesses. Moved to present location because zoning allowed use. No immediate plans to expand building, though could see expanding to three times current floor area. Would not relocate to commerce/industrial park. Likes location because of accessibility of business. Wants to preserve scenic qualities of corridor; doesn't want to see Atoo much development near shoreline.

- Envisions more business development in Bayshore area as opposed to other locations along corridor. Has concerns about traffic along corridor, especially at intersections. Certain (unspecified) businesses could be cleaned up a bit and complemented with landscaping or greenbelt/buffers. Existing businesses should not be compelled to landscape property; very sensitive to cost of retro-fitting existing uses with screening and landscaping improvements.
- Concerned about traffic safety conflicts presented by traffic generators, and in Bay Shore area generally. Corridor could benefit from installation of center left-turn-only and deceleration lanes for access to future business and residential development. Future and existing development could benefit from limited number of driveways, shared driveways, and managed access.
- Location is exceptional (proximity to Charlevoix City and regional amenities). Traffic along 31 creates excessive noise. Could expand size of use. Would like corridor to be developed in an attractive manner. Can't envision a wooded corridor, though thinks slash and-burn development is and would be inappropriate.
- Development can be attractive if visual pollution is avoided; maintain building setbacks, provide landscaping and green space between uses and buildings; limit number of signs. Doesn't want to see corridor developed with commercial/business uses housed in pole barns (made reference to M-66 corridor). Envisions south end of corridor developing with professional office buildings and light retail uses. Doesn't see supermarkets and other heavy commercial uses being established. Would clean up Bay Shore area. It looks dumpy rather than attractive. Land along corridor not conducive to farming or forestry. Suited to high-end residential development. Should poll local folks to see what's important to them, and attempt to meet needs expressed.
- Would have orderly transition toward change along corridor. Local folks should have a say in what happens from a development standpoint. Scenic aspects of corridor is its greatest asset; traffic is its worst. Hopes township can strike a balance of interests between business owners, developers and residents.

The following table presents a subjective illustration of the frequency of comments made during the interview process:

Issue or Subject Area	Number of Times Mentioned
Maintain/preserve scenic qualities	8
Do not require that businesses be completely screened from view from roadway	4
Require reasonable landscaping	4

Do not encourage strip malls or strip commercial development	3
Encourage development of an industrial/commerce park	3
Limit signs	3
Traffic is a concern	3
Establish conservation easements	2
Provide adequate building setbacks	2
Bay Shore area presents a poor visual image	2
Limit housing development	1
Township needs sewer and water service	1
Limit development along shoreline	1
Allow more development in Bay Shore area than other areas along corridor	1
Do not require that business install retro-fitted landscaping	1
Limit the number of driveways	1
Require shared access/driveways	1
Maintain green space between uses	1
Preclude establishment of pole buildings housing commercial uses	1
Establish planned office and light retail uses along southern end of corridor	1

Existing Land Use

Land along U.S. 31 is characterized by undeveloped open space and scattered residential, commercial, and industrial development. The most densely developed portion of the corridor is the Bay Shore area near the township's boundary with Emmet County.

The Charlevoix Country Club (a mixed-use Planned Unit Development) and the Charlevoix Rod and Gun Club are located within one mile of the township's western boundary. Each of these facilities has one driveway or access road providing ingress and egress from U.S. 31. Aside from the community pool building adjacent to the country club, no improvements on either the country club or rod and gun club property are visible from U.S. 31.

The Consumers Energy Big Rock Point and LexaLite Industries facilities are located within two miles of the township's western boundary. The Consumers Energy plant is accessed by way of Big Rock Road, and is not visible from U.S. 31. LexaLite Industries is accessed by three separate driveways. The developed portion of the Consumers Energy property represents a fairly small portion of the company's entire holding. LexaLite Industries, on the other hand, might be viewed as having reached a point of near build-out, due to the relative size of the facility's

buildings in relationship to lot size. The LexaLite Industries facility is visible from U.S. 31.

Kennedy Park, Carcrafters, and Barna Log Homes are located within three miles of the township's western boundary. Kennedy Park is owned by the State of Michigan, is located along the north side of U.S. 31, and is accessed by way of two driveways. Carcrafters and Barna Log Homes are located along the south side of the highway, and have access by way of one driveway each.

A significant Lake Michigan and Little Traverse Bay viewshed begin just east of LexaLite Industries at Kennedy Park and continues with intermittent interruption to the western boundary of the Michigan Shores Subdivision. The best views of the lake and bay occur between LexaLite Industries to a point west of Nine Mile Point, and between the Loeb Conservancy property and the Michigan Shores Subdivision.

There is no additional commercial development along the highway between Barna Log Homes and Murray Road approximately two miles to the east. Land use along this portion of the highway is characterized by scattered single family homes and undeveloped land.

The most dense development is generally concentrated between Murray Road and Townline Road near Bay Shore, west of the township's eastern boundary with Emmet County and Resort Township. Development in this area includes a gasoline station and convenience/grocery store, a church, two vehicle sales facilities (one new and one used), a steel fabricating facility, aggregate mining operations, and freight and aggregate/paving trucking operations. There are few homes located along this portion of the highway, though there are several year-round and seasonal single family homes between the Lake Michigan Shoreline and U.S. 31 that access the highway by way of Townline Road.

Recreational Trail Development

The Hayes Township Board of Trustees supports the efforts of the Top of Michigan Trails Council, the Charlevoix Trail Committee, the Michigan Department of Transportation, and other groups working to develop multi-use recreational trails in Northwestern lower Michigan. The Board also agreed to make Hayes Township available to become a grantee for easements along U.S. 31 obtained for trail purposes by the Charlevoix Trail Committee.

Natural Features

Michigan Resource Inventory System (MiRIS) natural resource maps prepared and provided by the Charlevoix County Cooperative Extension Service appear to indicate that the vast majority of undeveloped land along the south side of the corridor is subject to development constraints imposed by wetland/hydric soils, and/or severe to moderate septic system limitations. Areas subject to moderate limitations are located along the south side of the corridor east and west of Burgess Road near Nine Mile Point, and in upland areas west of Murray Road between U.S. 31 and Old 31. It should be noted, however, that while these maps are ideal for land use planning purposes, their accuracy should be determined on a parcel specific basis.

Much of the undeveloped land along the south side of the corridor is wooded. Some of these areas are within areas of hydric/wetland soils, and others are found in areas of moderate septic system limitations. Land along the south side of the corridor near the Loeb Conservancy is subject to development constraints imposed by steep slopes.

U.S. 31 Corridor Traffic & Crash Data

U.S. 31 near Big Rock, and 9,700 vehicles at U.S. 31 and Townline Road. It should be noted that data provided by the Michigan Department of Transportation (MDOT) and Charlevoix County Road Commission indicate 24 - hour average daily traffic (ADT) counts of 6,700 vehicles along major arterial highways usually experience ADT fluctuations based on day of the week, time of day, and season of the year. It is reasonable to expect that the highway experiences much higher use during the summer months. Crash data provided by MDOT indicate there were 46 traffic crashes along U.S. 31 in Hayes Township in 1996. The data indicates that twenty-eight of those crashes (61 percent) involved car/deer collisions, eight (17 percent) involved two-car collisions, four (9 percent) involved collisions with trees, and six (13 percent) are reported as "other" . These crashes resulted in sixteen injuries, and no deaths.

The MDOT crash data indicates no clear correlation between the location of two-vehicle crashes, driveways, and land uses. This is likely due to the fact that development along the corridor is widely dispersed.

Driveways

Driveways, like intersecting streets, create points of conflict for traffic moving along the U.S. 31 corridor. The greater the number of points of conflict, the greater the potential for traffic crashes.

A driveway serving a single-family home, or one serving a business use that generates little customer traffic, will have little impact on the movement of traffic. A driveway serving a large commercial or industrial center, on the other hand, is similar to an intersecting street, and can have a significant impact on the movement of traffic.

Due to the number of employees at the Consumers Energy and LexaLite facilities, it is likely that Big Rock Road and the driveways serving the LexaLite property create the greatest potential conflicts for traffic traveling U.S. 31 Truck traffic entering and exiting the H & D Trucking operations in Bay Shore also generate potential conflicts. As indicated above, however, MDOT traffic crash data indicates no clear correlation between these facilities and traffic crash.

Conclusions

The following conclusions are based on the information discussed above:

- 1 The corridor's most significant scenic Lake Michigan and Little Traverse Bay viewsheds are owned by the State of Michigan, and face no immediate threat for conversion to developed uses.
- 2 The bulk of land visible from the traveled portion of the corridor is undeveloped. Major, visible developed land uses include the LexaLite, Carcrafters, and Barna Log Home facilities, and the concentration of business and industrial uses in the Bay Shore area.

- Interviews with business owners and property owners indicate that a majority believe that the corridor's scenic character is one of its most important assets.
- 3 Interviewees appeared to indicate support for reasonable landscaping and sign standards for new uses.
 - 4 Interviewees appeared to express a desire to preclude strip commercial development.
 - 5 Available traffic crash data does not appear to indicate that existing business and industrial uses create conflicts with traffic traveling along the corridor.
 - 6 MiRIS maps indicate that the majority of land along both sides of the corridor is subject to limitations imposed by hydric/wetland soils, and severe septic system limitations. The potential for groundwater contamination from land use activities is rated by the University of Michigan Groundwater staff as moderate or high for the entire length of the corridor. Each of these factors will influence the density of development.

Recommendations

The above conclusions support the following recommendations:

1. Consumers Energy Property

Several alternate proposals have been suggested for future use of the Consumers Energy property. These include a public preserve, park, and campground, an industrial/commerce park, or residential development. Each of these proposals require detailed study and planning.

The Consumers Energy property includes approximately 600 acres, 60 percent of which, according to the MiRIS natural resources map, is wetland and therefore subject to severe septic system limitations. Only 3 percent of the total acreage is currently developed. The majority of the property remains in its natural state. Three state endangered species of plant and one federally endangered plant are found on the property.

Proposal for a public preserve, park, and/or campground: Opportunities to preserve the land for public use, once returned to a contamination-free status, would provide 12 miles of undeveloped shoreline on Lake Michigan as well as the mostly wooded acreage for recreation, environmental education, and other uses such as a campground. State, foundation, and other monies may be available for the realization of this proposal.

Proposal for Industrial/Commerce Park: Portions of the property along both sides of the corridor may also be suited to the development of low-rise, industrial/commerce park facilities. Such facilities would have a minimal impact on existing scenic view sheds along the corridor.

Proposal for low density residential development: There may also be a potential for appropriate low density residential development, preserving the wetlands and scenic qualities of the property. That potential may be enhanced by the proximity to a municipal sewer system.

Each of these potential uses for the Consumers Energy property will require careful study as the nuclear power facility is dismantled.

2. Charlevoix Township to LexaLite

As indicated by Map number 1 in Hayes Township Sections 18, 17, and 8 the existing uses along the U.S. 31 corridor are:

- A. Church
- B. Vacant - Zoned Commercial
- C. Vacant - Zoned R-4
- D. Community Pool
- E. Vidosh Nursery/Landscaping
- F. Charlevoix Country Club Conservation Easement
- G. Rod & Gun Club
- H. Consumers Big Rock
- I. LexaLite Corporation

The zoning immediately adjacent to Hayes Township in Charlevoix Township consists of commercial and a church. Existing present uses or uses allowed along U.S. 31 in Hayes Township Section 18 consist of high density residential R-4, the community pool, the entrance to the Charlevoix Country Club with accompanied conservation easements, the Rod & Gun Club, and a nursery/landscape facility. Sewer is available to most of this area. Given the nature of present uses and the availability of sewer, any remaining area would be appropriately used for commercial/professional office/or adult assisted care facility, being the closest area to Charlevoix services and emergency facilities.

Tracts of property in Hayes Township Sections 17 and 8, exclusive of Consumers Big Rock property and LexaLite, remain vacant. These areas would be appropriate residential with clustering well back from the highway frontage, assuming the Big Rock property evolves also into residential and resort property. A vegetative buffer should be maintained along this area, maintaining a percentage of mature trees where possible along the highway to help preserve some of the existing rural character.

To encourage Big Rock to evolve into residential or resort versus industrial or commercial, incentives could be given for reclamation projects to encourage returning the land to a useful and economically viable site provided adequate provision is made for sewage disposal. In addition, there should be serious consideration of both conservation easements, a public waterfront park with waterfront access, and provisions for a non-motorized trail.

3. Burgess Road/U.S. 31 Area

This area includes the Carcrafters (Lietz Industries) property, numerous single family homes, the Barna Log Homes property, a Veterinary Clinic, and large tracts of undeveloped land. MiRIS natural resource maps indicate that properties abutting the U.S. 31 Corridor are subject to moderate septic system limitations. The balance of the

properties abutting the corridor are in areas of hydric/wetland soils, and/or severe septic system limitations.

It is recommended that future industrial and business uses be limited to those properties presently zoned for industrial or commercial use. Low density residential development can occur in the surrounding A-1 Agricultural Zone District.

4. State Owned Scenic Viewsheds

It is the Township's position that these irreplaceable scenic resources remain undeveloped in perpetuity.

5. Nine Mile Point Area

MiRIS natural resource maps indicate there are pockets of land that may be well suited to septic system installations. This being the case, these areas are well situated to accommodate low-density residential development.

6. Bay Shore Area

This area represents the most developed area along the corridor. The H & D Trucking aggregate mining facilities can accommodate industrial/commerce park or planned commercial development upon completion of long-term mining activities.

Land along the south side of U.S. 31 between Bay Shore residential area and Central Transport facility does accommodate commercial and light industrial development.

Properties presently zoned for residential use should retain their residential designation, though minimum lot size requirements for new residential construction should be examined.

7. Residential Areas

Areas along the south side of the corridor east and west of Burgess Road are suited to planned single-family residential development. Existing vegetation should be maintained to the greatest extent feasible. The removal or thinning of trees in undeveloped areas buffered from view from the U.S. 31 Highway should occur on a selective basis following a site plan approval process.

8. Conservation Easements

Conservation easements are the most effective tool for protecting natural resources, open space, and scenic viewsheds. The establishment of conservation easements along portions of the U.S. 31 corridor would be the most effective tool for protecting the corridor's scenic qualities. A conservation easement is a legal agreement in which a landowner (or group of landowners) retain ownership of the easement while conveying certain rights to a conservation organization or public body.

Individuals retaining ownership of such easements retain certain rights, such as the right to use the easement for recreational or agricultural purposes, or to establish a specified number of building sites. Property subject to a conservation easement is protected from trespass as is any other privately owned land unless the property owner requests that access be allowed.

Conservation easements can be in the form of greenbelts along highways, or tracts of permanent dedicated open space in residential or other type of developments. A gift of a qualified conservation easement in perpetuity can be a charitable contribution for federal tax purposes, and may also result in a reduction of federal estate taxes. The corridor could benefit from the establishment of such easements in wooded areas, wetland areas, and scenic viewsheds.

9. Driveways

The spacing of access for commercial driveways is an important element in the planning, design and operation of roadways. Access points are the main location of crashes and traffic congestion. Their location and spacing directly affect the safety and functional integrity of streets and highways. As new development occurs, a number of factors will influence the potential impact new driveways will have on the safe and efficient movement of traffic along U.S. 31:

- The type or types of use(s) provided access by a driveway.
- The number of vehicles using a driveway.
- The location and design of a driveway.
- The presence or absence of deceleration or left turn bypass lanes.
- The number of vehicles (or ADT) using the highway.
- The density of development along the highway.

If the U.S. 31 corridor is allowed to develop as a commercial strip with separate driveways serving single land uses, the potential for significant impacts on the safe and efficient movement of vehicle traffic will be quite high. If, on the other hand, new commercial and industrial development can be limited to the general areas in which existing development is located, and reasonable shared or managed access can be provided where appropriate, then the potential for significant impacts on traffic can be mitigated.

MDOT has jurisdiction over the location, design and spacing of driveways along U.S. 31. Current MDOT spacing standards require a distance of 455 feet centerline-to-centerline between driveways along the same side of the highway. In instances where a particular parcel of land has insufficient frontage to meet this standard, MDOT may

reduce the spacing requirement, encourage a shared driveway with adjacent property owners, or require access by way of another roadway. Standards for driveways along opposite sides of a roadway require a separation distance of 750 feet centerline-to-centerline.

The Township also has authority to limit the number of driveways along U.S. 31 with zoning or police power regulations. This can be done by fixing or limiting the number of driveways for each parcel fronting on the highway before smaller parcels are created. Once the number of existing driveways has been fixed, all new parcels would have to obtain access from the fixed driveways by way of service drives or easements. Parcels having long frontage along U.S. 31 could be given special consideration if additional driveways were desired.

In its present state of development, the corridor appears to be functioning well within its intended design capacity as a major state trunkline. As future development occurs additional driveways will be required. MDOT strongly encourages the use of shared driveways and access/frontage roadways as a means of reducing the number of individual driveways along U.S. 31. The Bay Shore area would benefit from an access/frontage road requirement. The utilization of access/frontage roadways at other locations along the corridor could have a positive impact on the highways's scenic qualities if careful site planning and design occurs.

As of the date of this plan, there is no established procedure for a concurrent Township/MDOT development plan/driveway review process. MDOT encourages Townships to coordinate development plan review process with MDOT's driveway review and permitting process. Pre-application meetings with Township and MDOT representatives may be appropriate in cases where a large development is proposed which is expected to generate a significant amount of traffic. A mechanism for initiating such meetings between Hayes township and MDOT may be needed because there are several undeveloped parcels of land along the corridor that have the potential to accommodate relatively large-scale residential and commercial development.

10. Additional Commercial & Industrial Zoning Districts

The establishment of spot zones for additional commercial or industrial development outside of existing commercially and industrially zoned areas is not recommended. The establishment of commercial or industrial districts can occur in the areas along the corridor described in this plan to accommodate planned commercial and industrial development.

11. Property Zoned A-1 Agricultural

Property zoned A-1, Agricultural should be zoned RR-1, Rural Residential, to accommodate residential development at a density of one dwelling unit per each five acres of land to maintain the scenic character of the corridor.

12. General Design Standards

As development occurs, existing vegetation and other natural features should be retained to the greatest extent feasible. Buildings, signs, and other structures should consist of materials that blend with the existing undeveloped environment. The use of wood, stone, and brick should be encouraged. The use of bright colors should be discouraged.

The size, height and number of signs allowed at business and industrial uses should be reasonably limited. Sign height and area bonuses can be offered if sign owners agree to make signs more attractive. Examples include relying on professional design, placing signs lower to the ground, providing decorative pole covers, landscaping, lack of internal illumination, or signs consisting of characters mounted on a brick, stone, or natural wood backgrounds. The proliferation of billboards along the corridor should be halted.

Utility service to all future development should be provided underground. Exterior lighting should be of low intensity, and be limited to specific areas of developed sites. Lighting fixtures should not produce glare or spillover illumination onto adjoining roadways and property.

Parking areas should be located beside or behind buildings, and should be enhanced with landscaping. Loading and storage areas should be located behind buildings, and should be screened from view from adjoining property.

Clearcutting of sites abutting U.S. 31 prior to development plan approval should be prohibited.

Appendix C

Plan Update Public Input Summary (2007)

Hayes Township Master Planning Process

Community Opinion Update- Response Summary

Introduction

Below are the findings from an informal Hayes Township Planning Commission questionnaire that was made available for township residents and property owners to complete and return during January and February 2007. The questionnaire was available on-line, at a public forum (January 2007) or by request. Township property owners were made aware of this questionnaire via a post card which was sent out, using a mailing list provided by the Township Assessor. The intent of this effort was to determine whether or not the findings from a previous survey still applied, and allow residents an opportunity to provide additional input early in the Hayes Township Master Plan update process. The findings were to provide an idea of the views of the Township residents, for general planning purposes only, and were not intended to provide statistically valid survey results.

The findings below are based on the very limited number of questionnaires that were returned, 52 responses. The findings presented here should be used with extreme caution due to the low response rate. Additionally, due to the limited response, this is only one of means by which the Planning Commission is seeking input into the planning process.

A. Growth Management

1. The issue of controlling growth and development can be controversial. Please check the statement that most closely matches your views about growth:
 - 3.8% I would like to see growth encouraged.
 - 7.7% I would prefer to let growth take its own course in this area.
 - 80.8% I would prefer planned and limited growth in this area.
 - 7.7% I would like to see a goal of no growth in this area.

B. Land Use

1. Please rate the importance of allocating land for the following types of business in Hayes Township both now and for future growth:

	Very Important	Important	Neutral/ Uncertain	Unimportant	Very Unimportant
a. Farming	55.8%	34.6%	9.6%	0%	0%
b. Commercial / retail / service	6.0%	16.0%	28.0%	36.0%	14.0%
c. Resort and tourism	12.0%	36.0%	18.0%	20.0%	14.0%
d. Light manufacturing	7.8%	35.3%	21.6%	17.6%	17.6%
e. Mining (Sand & Gravel)	2.0%	15.7%	25.5%	23.5%	33.3%
f. High-tech office business	10.0%	30.0%	22.0%	14.0%	24.0%
g. Other (specify): _____					

2. How would you like the Big Rock property used in the future: (circle one)
 - Commercial/Industrial (0%) Recreation (82.7%) Housing (1.9%) Other (15.4%)

Hayes Township Master Planning Process
Community Opinion Update- Response Summary

C. Housing

	Strongly Agree	Agree	Neutral/ Uncertain	Disagree	Strongly Disagree
1. The mix of housing in the Township meets the diverse needs of the residents.	14.0%	44.0%	24.0%	14.0%	4.0%
2. Adequate affordable housing is available in Hayes Township	11.8%	29.4%	23.5%	23.5%	11.8%

D. Environment and Open space

	Strongly Agree	Agree	Neutral/ Uncertain	Disagree	Strongly Disagree
1. Hayes Township should work to preserve scenic views.	72.5%	21.6%	5.9%	0%	0%
2. Hayes Township should work to preserve farmland.	60.8%	25.5%	13.7%	0%	0%
3. Hayes Township should work to preserve open space.	64.7%	31.4%	3.9%	0%	0%

4. Which of the following best describes what "Open Space" means to you? (rank 1-6, with **1 being best**)

Note: The numbers below indicate the number of respondents which rated each type of open space 1 through 6—all respondents did not follow the instructions to rank 1-6, so the total number of "1" responses is greater than the number of responses (52).

	Forests	Wetlands	Scenic views	Parks/Sports fields	Pasture/meadow	Farmland
1	19	12	15	5	20	18
2	7	4	8	3	10	8
3	12	12	10	3	6	1
4	6	11	3	3	6	12
5	4	6	10	3	6	9
6	1	3	3	30	1	1
total	49	48	49	47	49	49

E. Zoning

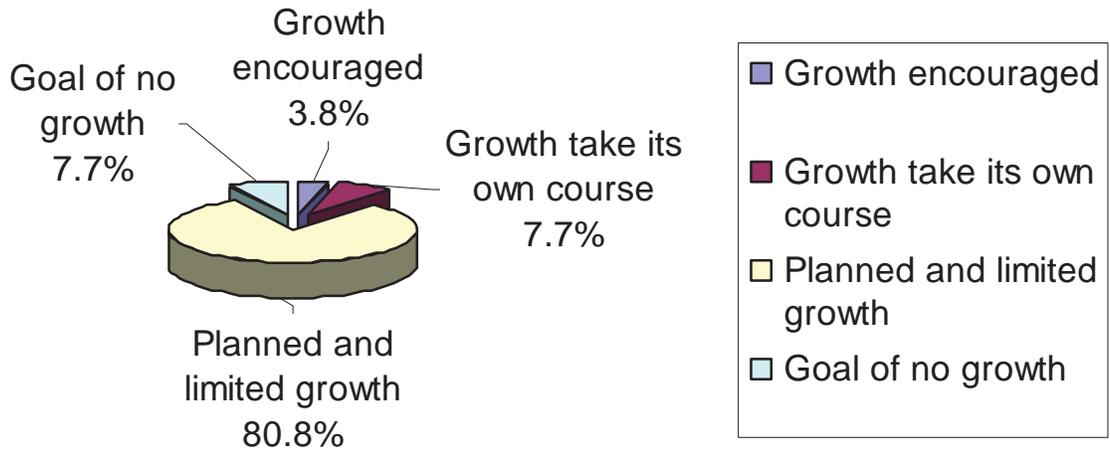
Past surveys have indicated the protection of rural character is important to residents and property owners in Hayes Township. Based on this sentiment the Township consider zoning for rural residential areas at a density of:

38.0%
1 dwelling unit per 5 acres
(current zoning standard)

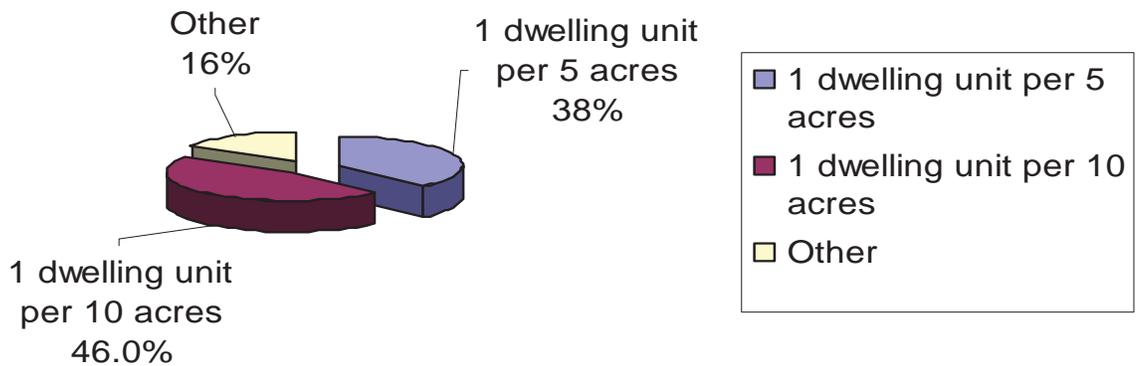
46.0%
1 dwelling unit per 10 acres

16.0%
other (define)_____

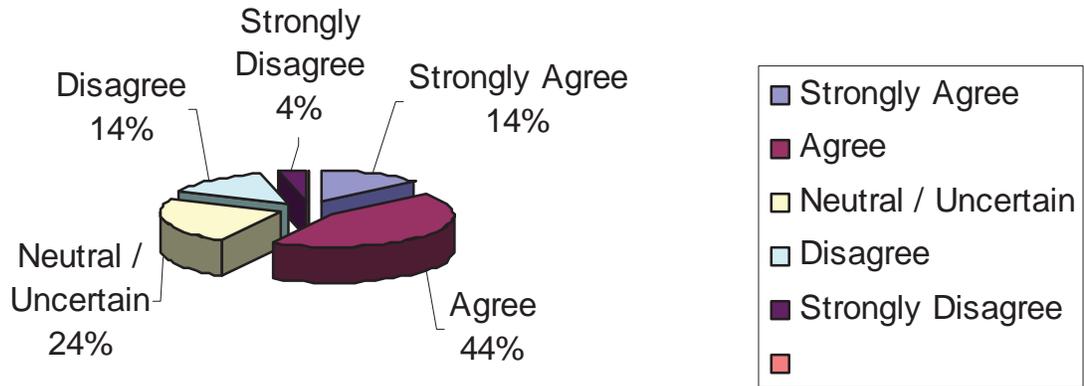
Growth Management



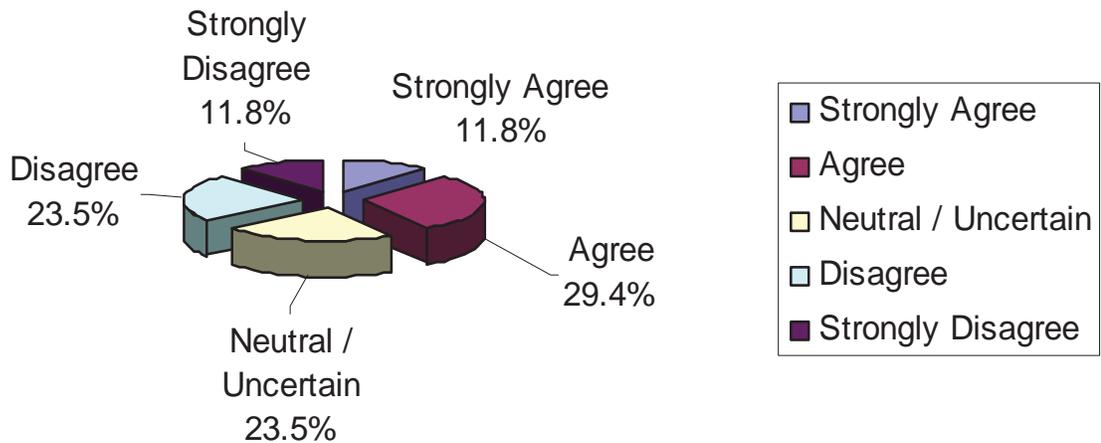
Zoning



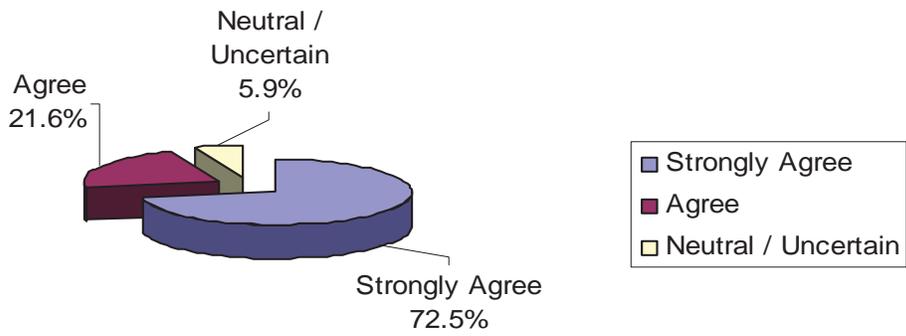
The mix of housing in the Township meets the diverse needs of the area



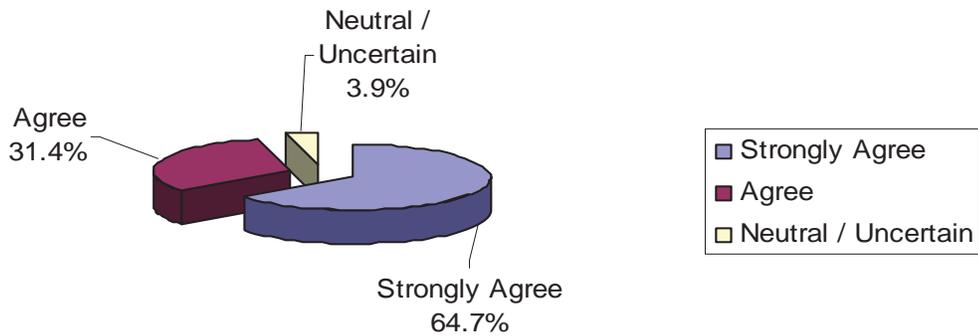
Adequate affordable housing is available in Hayes Township



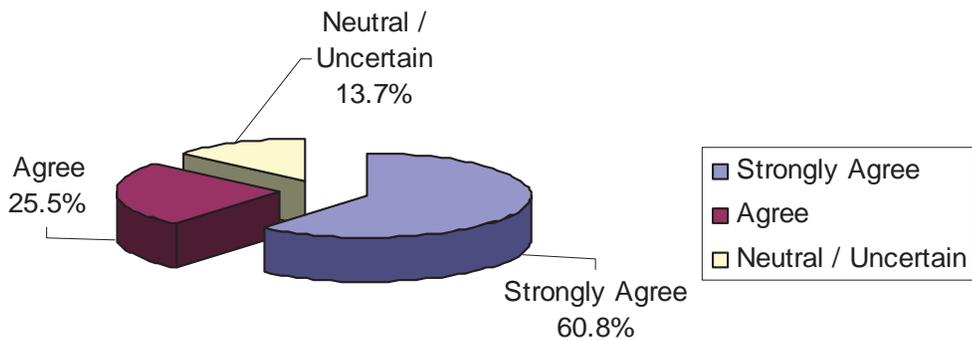
The Township should work to preserve scenic views



The Township should work to preserve open space



The Township should work to preserve farmland



Hayes Township Master Planning Process

Comments Received

(through 2/28/07)

Growth Management

- I believe there's room for commercial uses providing we have screening, etc in order.

Land Use

- I support the concept that a land owner should be allowed to be self-supporting/self-sufficient as long as activities conform to environmental regulations, are not "Blight-producing/encouraging", and do not infringe on the rights and enjoyment of neighbor's properties.
- Allocate land for ...
 - homes.
 - engineering businesses.
- Turn Big Rock into...
 - a new nuclear facility.
 - a State Park.
 - park land and open space.
 - a preserve.
- Preservation of water quality (lakes & streams).
- Let all the land be, return to nature.

Zoning

- I am not opposed to higher density (ie 1 dwelling per 5 acres), but only as an incentive to quality "development." My idea of quality "development" is one that preserves qualities that originally attracted me to this Township. Again, forests forever, open spaces & views and of course, farmland. Though productive acreage is currently less than in our farming history, in light of large scale agri-business failures (food recalls, E. Coli, etc), I anticipate an increased appreciation of local food productions. In the last year, I have purchased pumpkins, beef, corn, flowers, apples, herbs and vegetables from "small" farms here in Hayes and Bay Townships, despite having my own garden. I wouldn't prevent nor discourage the possibilities of those whom seek some return to a more traditional lifestyle, have sufficient land, and are not afraid of the work. Therefore, I'm only supportive of increased residential density when it is thoughtfully "clustered" so as to preserve the larger land mass for wildlife, pasture, recreation and farming that will support our healthy future.
- Protect by conservation.
- Cluster housing with Open Space.
- PUD/Cluster housing.
- I would support cluster housing with green space in 40-50 acre sections. Put the housing on 5-10 acres and leave the rest wooded, wetlands or pasture.

- I am concerned about the way the Township Board makes decisions with little regard for the input from the Charlevoix County Planning Commission and the County Planner. For example, when an application is made to rezone from A-1 to RR-1, the PC automatically approves it. When it goes to the County PC they deny it because of the piece meal way the Township rezones. It goes back to the Township and the board automatically approves. I think this is a really bad way to do the public business.

The County Planner has recommended that the Township should decide what land they want A-1 and what they want RR-1 and designate it as such. I think this recommendation should be a part of the Master Plan.

I see nothing wrong with rezoning parcels 15 acres or less from A-1 to RR-1. However, I think that it is wrong to rezone A-1 parcels that are larger than 15 acres from A-1 to RR-1. This is because the issue is density.

I believe the current Master Plan indicates that most people prefer a 10 to 1 density. It seems that the board made a bad decision to go against that preference based on their lawyer's interpretation of a court case involving density. But other legal opinions have held that the case was valid on only the land the case was about (Dunmaglos Golf Course).

I think there is a simple solution. The RR-2 zone should be returned to the Ordinance. The RR-2 zone (10 to 1 density) was removed several years ago, possibly as a reaction to the Dunmaglos case. Again, it was a bad decision and a poor way to plan.

I feel that all A-1 parcels that are not being farmed and that are larger than 15 acres should be encouraged to rezone to RR-1 with a 10 to 1 density and this should be stated in the Master Plan. This would then become the guideline for rezoning from A-1 to RR-1.

- Overdevelopment can destroy Hayes Township just as it has many others. I fear that the area between the Charlevoix/Boyer City Road and the lake will in the future become multi-lot subdivisions unless restricted. The reason the area is charming is that it is mainly agricultural and/or wooded.

Setbacks and green zones should be considered. Conservation easements and large tract purchases should be addressed. It could well be that a county park should be established in a large area which would encourage a productive use.

It is only necessary to look at Houghton Lake where rings of housing with lake easements have altered a once attractive area.

In southeastern Michigan, every lake, not protected by surrounding state land has been destroyed. Large apartment complexes and subdivisions in Oakland County setting near once charming lakes have destroyed the resource. In Genesee County, many areas previously used only for farming have been turned into subdivisions with small parcels, streets and curbs only left to be unsold. This type of development, unrestricted, I fear, will soon be visited upon Hayes Township. In southern Michigan many homes remain vacant months after completion. Mobile homes should be strictly limited by zoning to mobile home parks. Minimum lot sizes, larger than presently permitted, may help promote a better housing plan.

- 1 dwelling unit per 10 acres, with clustering & open space.
- 1 dwelling unit somewhere less than 5 acres.
- 1 dwelling unit per 50 acres.
- For further development, use density as a guide.

- Cluster development.
- Cluster development to protect open space.
- Per acre is less of a concern to me than the amount of green space per house. Clustering housing with lots of open space around is a better option than 1 dwelling unit per so many acres.

Blight

- There are several parcels of land in the Township whose appearance is detrimental to the beauty of the area. One in particular has taken on the appearance of a “dump” for used construction equipment. It is MOST unattractive. Perhaps the zoning is for commercial purposes at that sight, but it appears to the passer-by as a definite negative and perhaps abuse of the allowed zoning. It would be beneficial if the Township would investigate this property and take action as it is a blight to the Township.

Environment

- The reason we moved out to this area was its rural characteristics. I feel at the meeting, the majority were in favor of this. We need to put “TEETH” into our Ordinance to prohibit unlimited “growth” and “NEED” to continue to protect our natural resources. Hayes Township needs to be a GREEN community and showcase how other Townships and Cities can follow our example. Thank You!
- Hayes Township should work to preserve scenic views, as much as they can without taking property rights.

Recreation

- Turn Big Rock into Recreation land – after the casks are removed.