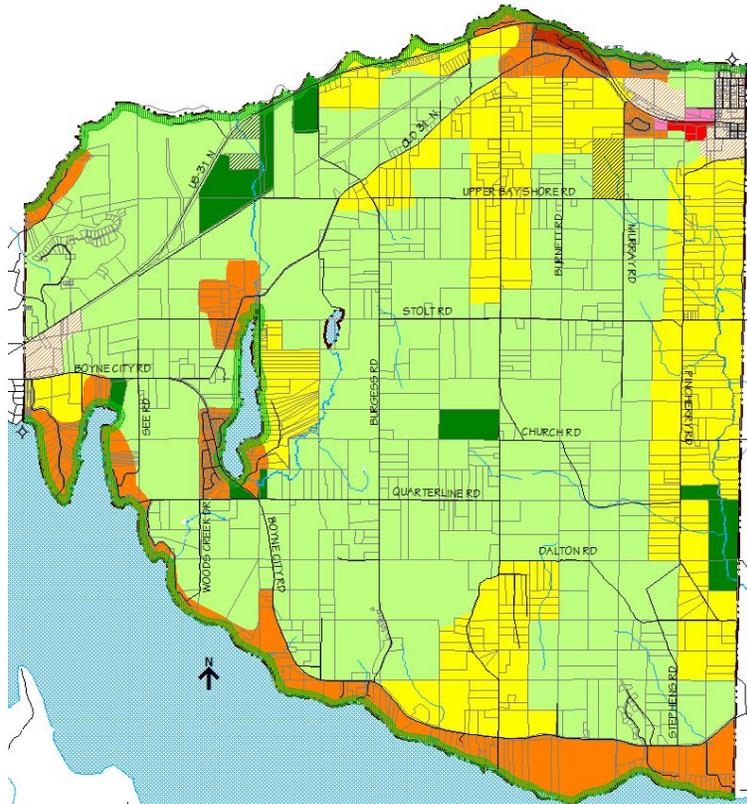


# *Hayes Township*

## *Master Plan Update-2013/2014*



## ***PUBLIC HEARING DRAFT***

**PUBLIC HEARING: JUNE 17, 2014, 7PM**  
HAYES TOWNSHIP HALL, 09195 OLD US-31 N, CHARLEVOIX

With Planning Assistance Provided By:

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# Hayes Township Master Plan

Charlevoix County  
Michigan

Prepared by:  
Hayes Township Planning Commission

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**Adopted**

Planning Commission: \_\_\_\_\_

Township Board: \_\_\_\_\_

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**HAYES TOWNSHIP  
MASTER PLAN UPDATE  
2013/2014**

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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 2013 citizen survey, a public input session conducted in August 2013, 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.

## **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.

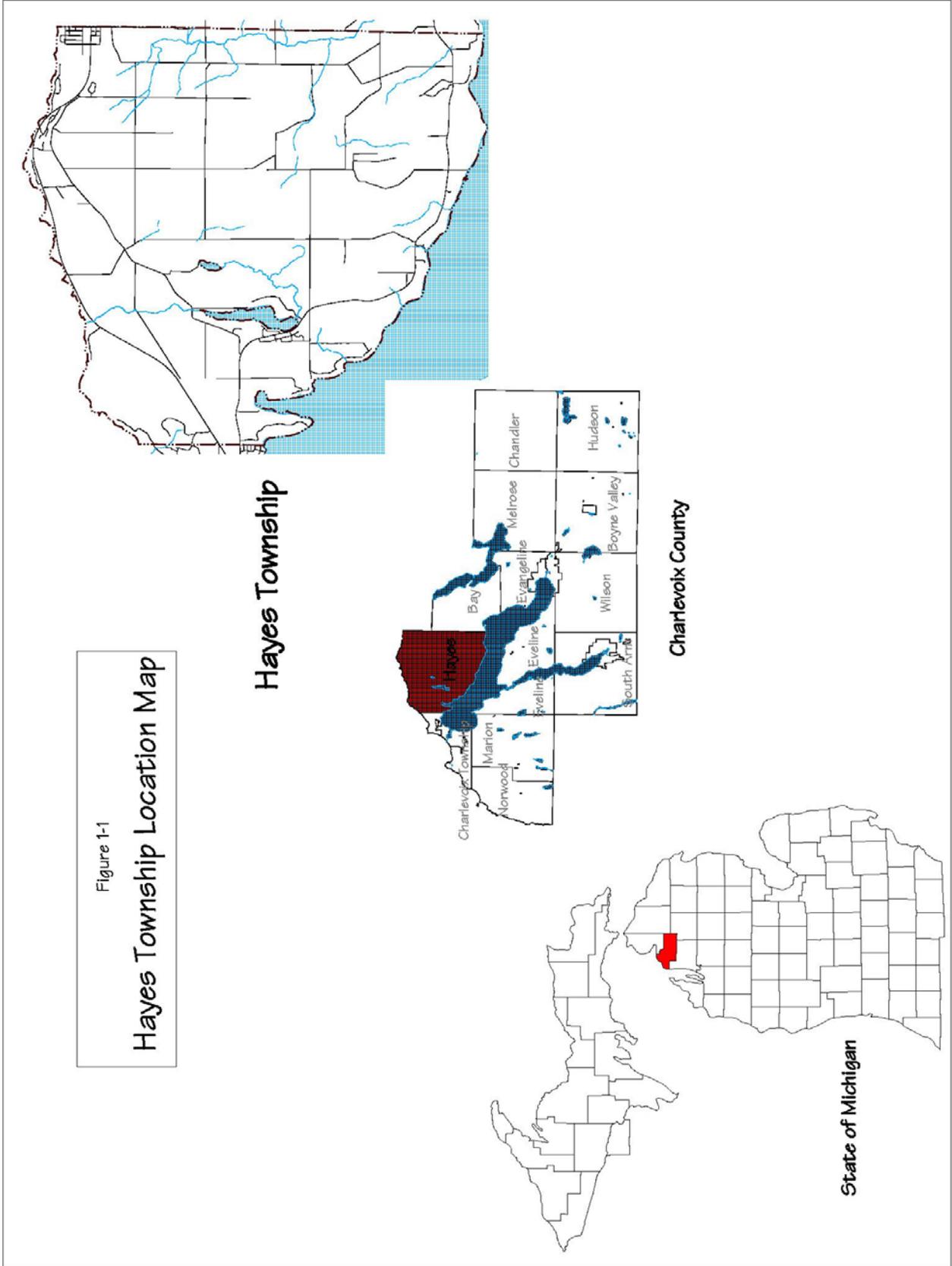


Figure 1-1  
 Hayes Township Location Map

Two areas of the Township tended to become population and business centers during the latter 19<sup>th</sup> and early 20<sup>th</sup> 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 agricultural supplies 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.

## **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 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 subsequent updating to 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:

- Maintain a 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 restrict 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 updating 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 2013 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.

### **Plan Development Process**

The 2013 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 considered input from the property owners survey, 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 a Master Plan, per the Michigan Planning Enabling Act, PA 33 of 2008, as amended (MCL 125.3801 et seq.). The purpose of a Master Plan is:

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 Michigan Planning Enabling 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 most recently amended in 2013. The most recent prior Master Plan that served as the basis for this update was adopted in 2008.

Updated zoning ordinances supported by up-to-date Master Plans are considered the main tool Michigan communities have at their command to control land use patterns and development pressures. Since Hayes 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 2010 was 1919 persons (955 male – 964 female), averaging approximately 67.8 persons per square mile for the Township's 28.3 square miles of land area. This population density can be compared to approximately 62.2 persons per square mile for Charlevoix County and 174.0 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 2010 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 245 units or 21.6 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 significantly during the summer months. Based on the average household size in Hayes Township of 2.37, if the seasonal units are occupied at a similar rate, the expected seasonal increase would be 581 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 2010. 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 1970-2010**  
AREA TOWNSHIPS & COUNTIES

	1970	Percent Change 1970-1980	1980	Percent Change 1980-1990	1990	Percent Change 1990-2000	2000	Percent Change 2000-2010	2010	Percent Change 1970-2010
Hayes Township	706	80.5	1,274	3.4	1,317	43.7	1,893	1.4	1,919	171.8
Bay Township	456	31.3	599	37.7	825	29.5	1,068	5.1	1,122	146.1
Resort Township	1,009	67.2	1,687	22.6	2,068	19.8	2,479	8.8	2,697	167.3
Charlevoix County	16,541	20.3	19,907	7.8	21,468	21.5	26,090	-0.5	25,949	56.9
Emmet County	18,331	25.4	22,992	8.9	25,040	25.6	31,437	4.0	32,694	78.4

Source: Bureau of Census

### 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 2010 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 2010 Census.

At the time of the 2010 Census, the median age for Hayes Township was 47.5 years, for Charlevoix County, 45.5 years, and for the State, 38.9 years. The Township median age is 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 – 2000 & 2010 HAYES TOWNSHIP, CHARLEVOIX COUNTY, STATE OF MICHIGAN								
Age	Hayes Twp.		Township %		County %		State %	
	2000	2010	2000	2010	2000	2010	2000	2010
Under 5	90	90	4.8	4.7	6.5	5.3	6.8	6.0
5-17	352	273	18.5	14.2	19.4	16.8	19.3	17.7
18-24	86	115	4.5	6.0	6.5	6.3	9.3	9.9
25-44	519	391	27.4	20.4	27.4	21.0	29.8	24.7
45-54	342	344	18.1	17.9	14.2	16.6	13.8	15.3
55-59	139	163	7.3	8.5	6.0	8.0	4.9	6.9
60-64	103	177	5.4	9.2	5.0	7.5	3.8	5.8
65 +	262	366	13.8	19.1	14.9	18.6	12.3	13.8
Total	1893	1919	99.8	100.0	99.9	100.1	100.0	100.1
Median age	42.3	47.5				45.5		38.9
Note: Due to rounding, percents may not equal 100 Source: Bureau of Census								

The racial make-up of the Township is primarily white (1805 persons). Native Americans are the primary minority population (62 persons), and there are eight persons of Asian background reported, and two African American.

**Income**

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: <b>Income Statistics</b> AREA TOWNSHIPS, COUNTIES AND STATE OF MICHIGAN (in 2011 dollars)		
	Median Household Income	Per Capita Income
Hayes Township	\$ 63,135	\$ 35,093
Bay Township	\$ 72,656	\$ 35,536
Resort Township	\$ 71,014	\$ 38,492
Charlevoix County	\$ 48,745	\$ 28,226
Emmet County	\$ 50,269	\$ 29,465
State of Michigan	\$ 48,669	\$ 25,482

Source: U.S. Bureau of Census. 2007-2011 American Community Survey

TABLE 2.4: <b>Household Income Comparison</b> HAYES TOWNSHIP, CHARLEVOIX COUNTY AND STATE OF MICHIGAN (in 2011 dollars)			
Household Income	Hayes Township %	Charlevoix County %	State of Michigan %
Less than \$10,000	4.7	5.8	7.9
\$10,000 - \$14,999	2.5	5.2	5.7
\$15,000 - \$24,999	4.6	11.1	11.6
\$25,000 - \$34,999	8.7	13.1	11.1
\$35,000 – \$49,999	19.1	15.9	14.8
\$50,000 – \$74,999	23.3	22.0	18.7
\$75,000 - \$99,999	17.0	11.3	12.1
\$100,000 - \$149,999	8.9	9.0	11.5
\$150,000 - \$199,999	5.9	3.3	3.7
\$200,000 or greater	5.3	3.2	2.9

Source: U.S. Bureau of Census. 2007-2011 American Community Survey

## 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.

According to the 2010 Census data there are a total of 1,134 housing units in Hayes Township. Unfortunately, the ten-year census data no longer provides a breakdown by housing type. Based on the 2007-2011 American Community Survey estimates from the US Census Bureau, the housing types breakdown is as follows:

1,007 single-family units and 122 mobile homes,  
 9 multiple-family units,  
 Average rooms per unit is 6.0.

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 -2000 & 2010						
	Total Units		Seasonal Units		% Seasonal	
	2000	2010	2000	2010	2000	2010
Hayes Township	1,030	1,134	229	245	22.2	21.6
Bay Township	787	847	337	372	42.8	43.9
Resort Township	1,215	1,460	282	340	23.2	23.3
Charlevoix	15,370	17,249	4,391	5,156	28.6	29.9
Emmet County	18,554	21,304	5,039	5,864	27.2	27.5
State of Michigan	4,234,279	4,532,233	233,922	263,071	5.5	5.8

Source: U.S. Bureau of Census

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

TABLE 2.6: <b>Age of Housing Stock</b> HAYES TOWNSHIP 1940-2005	
Period of Construction	Percent Homes
Built 2005 or later	2.4
2000-2004	11.5
1990-1999	22.1
1980 - 1989	16.2
1970 - 1979	20.0
1960 - 1969	7.0
1950 - 1959	3.3
1940 – 1949	4.8
1939 or earlier	12.7
Source: U.S. Bureau of Census. 2007-2011 American Community Survey	

### Household Size

Census data from 2010 shows Hayes Township has a household size of 2.37 persons per household, decreased from 2.47 in 2000. The current household size for Hayes Township is quite similar to that of Charlevoix County (2.36) and the State of Michigan (2.49). 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, 90.6 percent of the permanently occupied housing units are owner-occupied, compared with 79.4 percent at the County level and 72.1 percent at the State level. The renter-occupied housing in Hayes Township accounts for 9.4 percent of the total housing units (median rent \$682), compared with State level of 27.9 percent and median rent of \$742.

### 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 \$169,100 for Hayes Township, compared to 2000's \$122,800. Charlevoix County's median value in 2010 is \$158,700 as compared to the value of \$112,700 in 2000, while Michigan's 2010 median value owner-occupied housing unit is \$137,300 (\$115,600 in 2000). 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 – 2007-2011	
Housing Values	Percent of Units
Less than \$50,000	65
\$50,000 - 99,000	64
\$100,000 - 149,000	151
\$150,000 - 199,000	186
\$200,000 - 299,000	138
\$300,000 – 499,000	84
500,000-999,999	33
1,000,000 or more	74
Median value	169,100
Source: U.S. Bureau of Census, 2007-2011 American Community Survey	

### 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 decreased (over 31%) during the last five years, since 2008; see Table 2.8 and 2.9. As of 2013, the largest value non-residential class of properties making up the Township's SEV is Commercial, which accounts for 3.4 percent of the Township's total SEV.

The 2013 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	2008 SEV	2010 SEV	2012 SEV
Agriculture	5,200,000	4,399,300	3,705,100
Commercial	11,955,300	10,559,800	7,814,300
Industrial	4,514,100	4,079,800	3,224,800
Residential	306,101,255	233,956,000	227,679,000
Timber Cutover	0	0	0
Developmental	0	0	0
Total Real Property	327,770,655	252,994,900	242,423,200
Personal Property	5,487,400	5,426,500	5,770,000
Total SEV	333,258,055	258,421,400	248,193,200

Source: Charlevoix County Equalization Department.

TABLE 2.9:  
**Distribution of the SEV**  
HAYES TOWNSHIP AND CHARLEVOIX COUNTY - 2013

Real Property:	Hayes Township		Charlevoix County	
	Amount	Percent	Amount	Percent
Agricultural	3,534,700	1.5	51,227,969	2.2
Commercial	7,849,800	3.4	149,684,125	6.4
Industrial	2,431,600	1.1	40,451,300	1.7
Residential	209,530,200	91.5	1,974,004,140	84.9
Timber Cutover	0	0.0	0	0.0
Developmental	0	0.0	0	0.0
Total Real Property	223,346,300	97.5	2,215,367,534	95.3
Personal Property	5,738,900	2.5	110,294,139	4.7
Total SEV	229,085,200	100.0	2,325,661,673	100.0

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 viewscapes, 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 viewscapes 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 (West in Charlevoix Township at the Charlevoix Country Club, and East 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

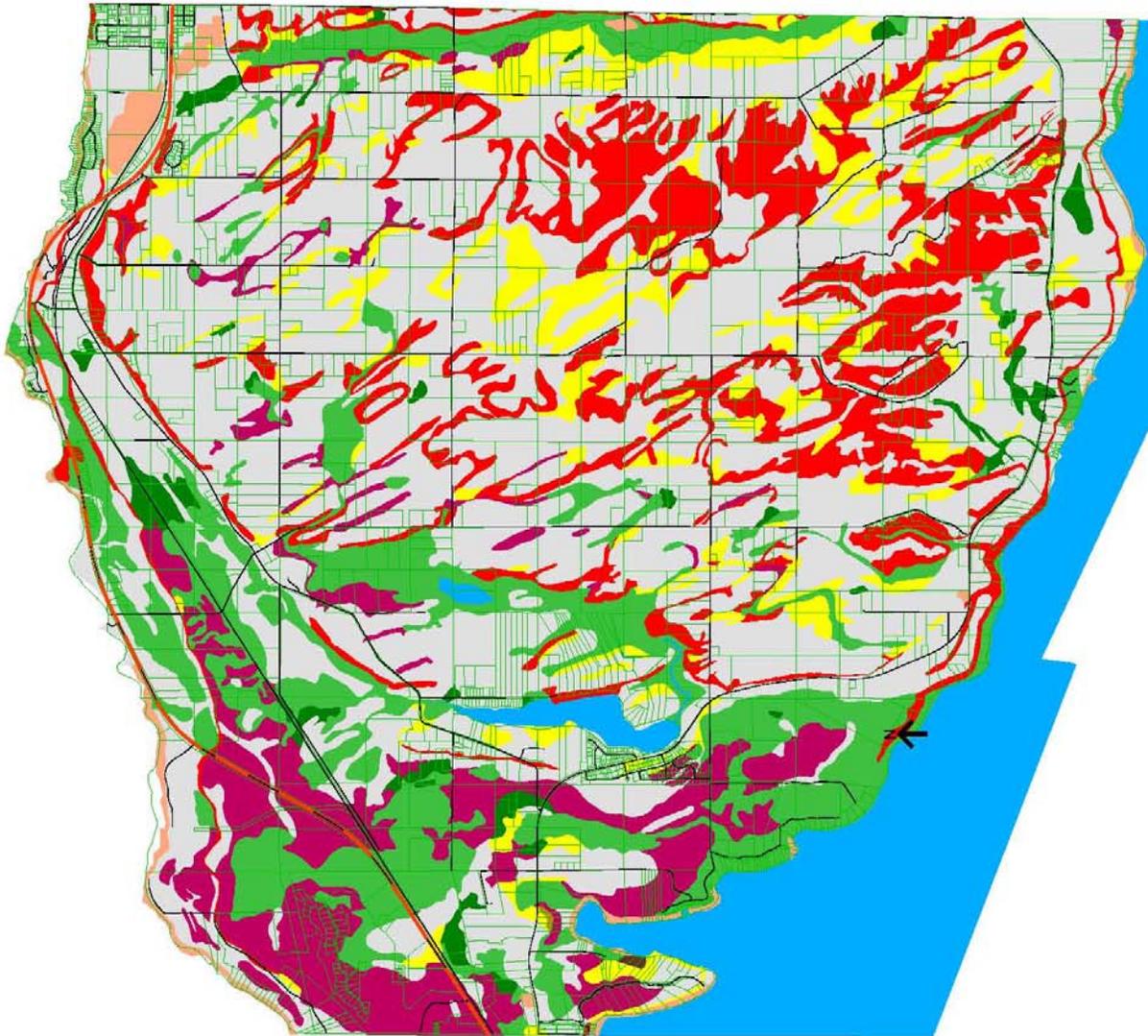
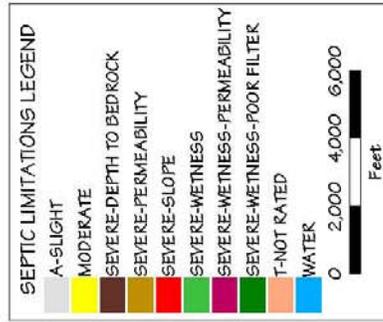


Figure 3-1

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. Moderate to steep slopes (6% - 25%) may cause difficulties in siting systems in some area, even though percolation rates are usually good in these 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<sub>4</sub>” 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

For the 2013 Update of this Master Plan, the Hayes Township Planning Commission reviewed the Existing Land Use Map from the prior 2007/2008 update (mapping was done 2007), and determined very little had changed (due in part to the economic downturn of the intervening time period), and thus decided not to incur the cost of fully updating the map and associated text for the 2013 update.

### **Patterns 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 over 400 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 130 acres of the former Big Rock facility is currently owned by Entergy Corporation which holds the spent fuel rod casks and a buffer area. The Little Traverse Conservancy also own large parcels in the Township as well, which total approximately 670 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. See Figure 6-1 for map of recreation sites and protected lands in Hayes Township.

### **Little Traverse Bay Band of Odawa Indians property**

The Little Traverse Bay of Odawa Indians currently has approximately 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 additional 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

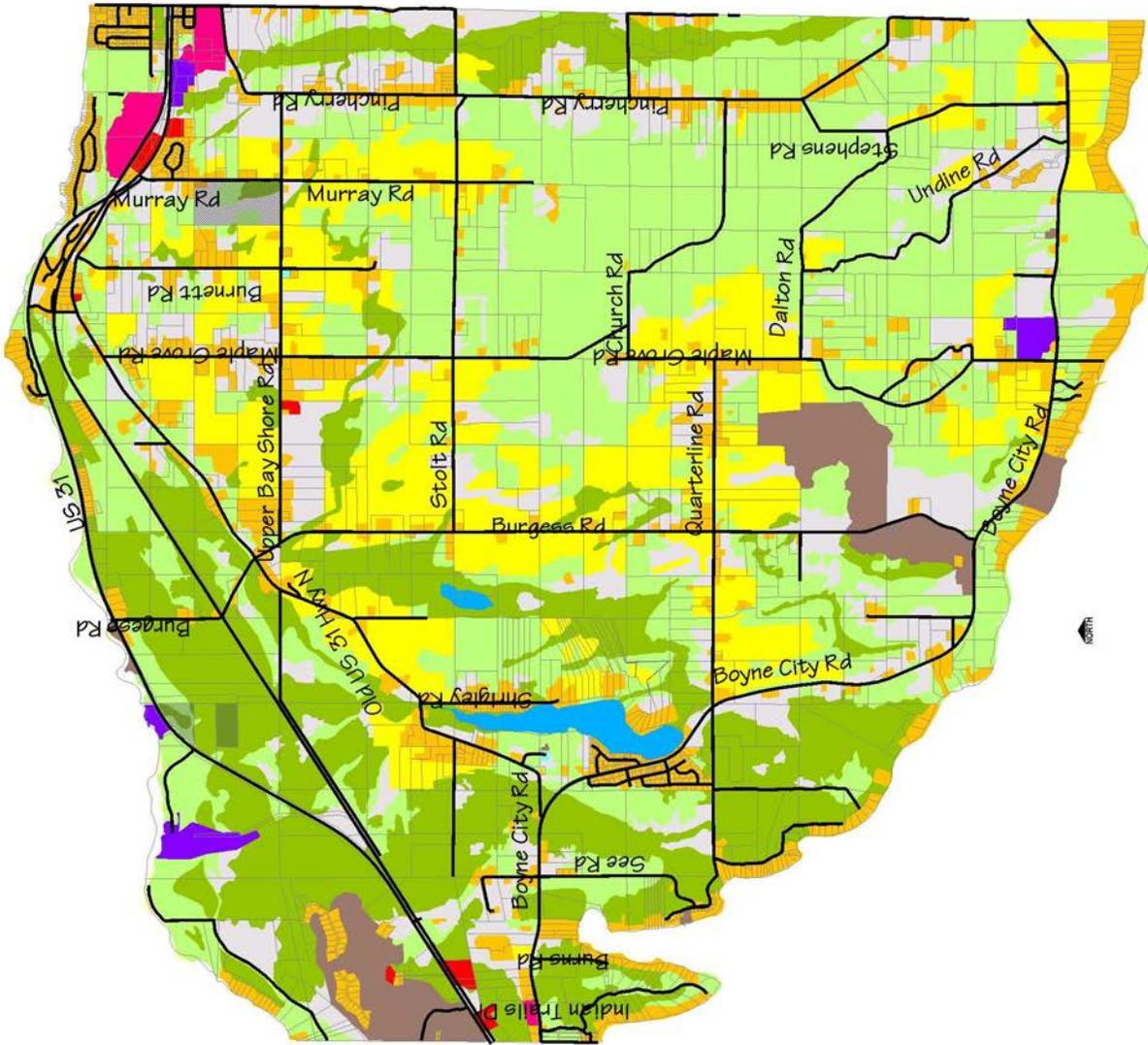
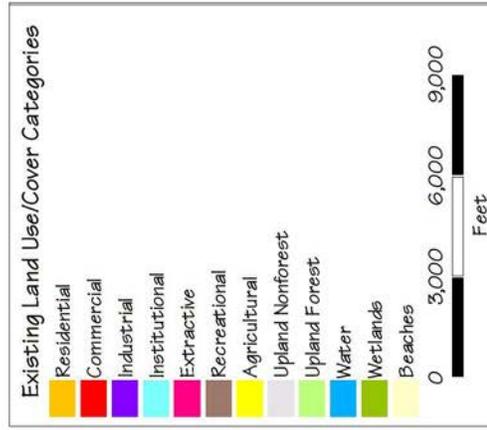


Figure 4-1

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. US-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 Michigan Department of Transportation (MDOT) indicates a 24-hour average daily traffic count (ADT) of 7,500 vehicles on the section of US-31 through Hayes Township (2012).

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 US-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 public roads in the township 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 development patterns follow the existing and planned low density and intensity mix of land uses along most major roadways (US-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.

Approximately 7.6 miles of the total 26 mile non-motorized Little Traverse Wheelway route passes through Hayes Township, located between US-31 and the Little Traverse Bay of Lake Michigan (for more information on the Hayes Township portion of the Little Traverse Wheelway, see the Hayes Township Recreation Plan). Additional non-motorized trails through Hayes Township are planned to be installed in phases along the Boyne City Road from Boyne City to Charlevoix, with Phase 1 to be constructed in 2014.

## CHAPTER 6

# PARKS, RECREATION & COMMUNITY FACILITIES

The following is an overview of park, recreation and community facilities found in the Township. See Figure 6-1 for locations of recreation facilities and protected lands, and Hayes Township Recreation Plan for additional recreation details.

### **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 on Shrigley Road near Old US-31.

### **Township Parks/Recreation Facilities**

Public access to Lake Michigan is available at three locations: 1) near Nine Mile Point; 2) at Townline Road, and; 3) at Bayside Park on Spring Street in Bayshore, 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.

In early 2014 Hayes Township acquired the 20 acre former Camp Seagull property on Lake Charlevoix for use as a Township Park. (see Township Recreation Plan for more details).

The Little Traverse Wheelway, a 26 mile non-motorized trail extending from Charlevoix to Harbor Springs, passes through Hayes Township along US-31, see the Hayes Township Recreation Plan for more details.

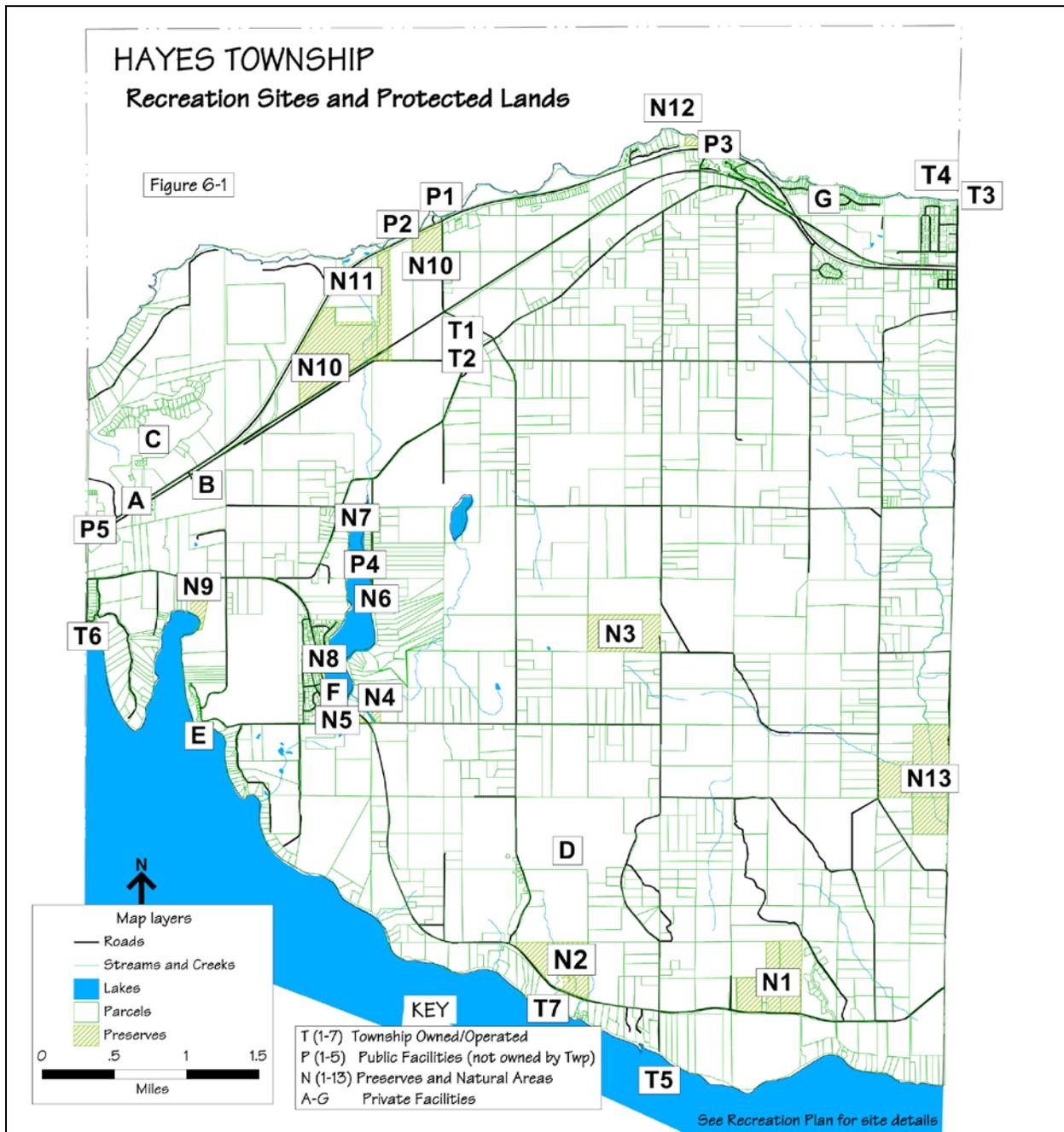
The Charlevoix Swimming Pool is owned and operated by the non-profit group Friends of the Pool with support, in part, from a Township millage (in combination with support from Charlevoix Township and the City of Charlevoix), and is open to the public.

### **Conservancy Land**

Thirteen Preserves comprised of lakefront, woodland and/or wetland areas, totaling approximately 670 acres, have been established by the Little Traverse Conservancy through donations and purchases from private owners. 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 available for public use. The Nathan Barry Driggers Memorial Preserve located along the Boyne City-Charlevoix Road, was established as a preserve in 2007. The recently protected preserve in the Township is the Taylor/Horton Creek/ Schultz/ Nick Adams Preserve which combined a number of parcels for protection. The conservancy preserve properties are open to the public. Additionally, the 50 acre Taimi Hoag Preserve is protected by the Little Traverse Bay Band of Odawa Indians.

The Greensky Church off of Old US-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.

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 McLaren 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 a number of companies. Natural gas is available in portions of the Township including the southeastern corner, with service provided by DTE.

A cable television company offers service to some areas of the township, but many households depend on satellite dish antennas or, in a few cases, rooftop 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 following statement 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 seriously, 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.

<b><i>Farmland related Goals</i></b>
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.

<b><i>Residential Goal</i></b>
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.

<b><i>Community Services, Facilities &amp; Recreation Goal</i></b>
Maintain and improve the Township facilities, programs and systems consistent with the community needs and the ability to finance the improvements.
Maintain and improve the Township's recreation lands and facilities consistent with the community needs and ability to finance the improvements for the enjoyment of the residents and visitors.

### 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.

The Township will strive to maintain an up to date Recreation Plan to guide recreation related improvements, see Hayes Township Recreation Plan for details.

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.

<b><i>Transportation Goals</i></b>
Maintain all roads in a safe condition and work cooperatively with the County Road Commission.
Develop, adopt and begin implementation of a Complete Streets policy, to improve transportation equity, while encouraging health through physical activity and active transportation.
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.
New subdivisions and site condominium projects should be served by interior access roads.

<b><i>Corridor Goals - Boyne City Road and U.S. 31</i></b>
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 private recreation development such as the Charlevoix Rod and Club, as well as golf-related resort and surrounding residential uses, such as that found at the Charlevoix Country Club and Dunmaglas. It is recognized that this golf 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

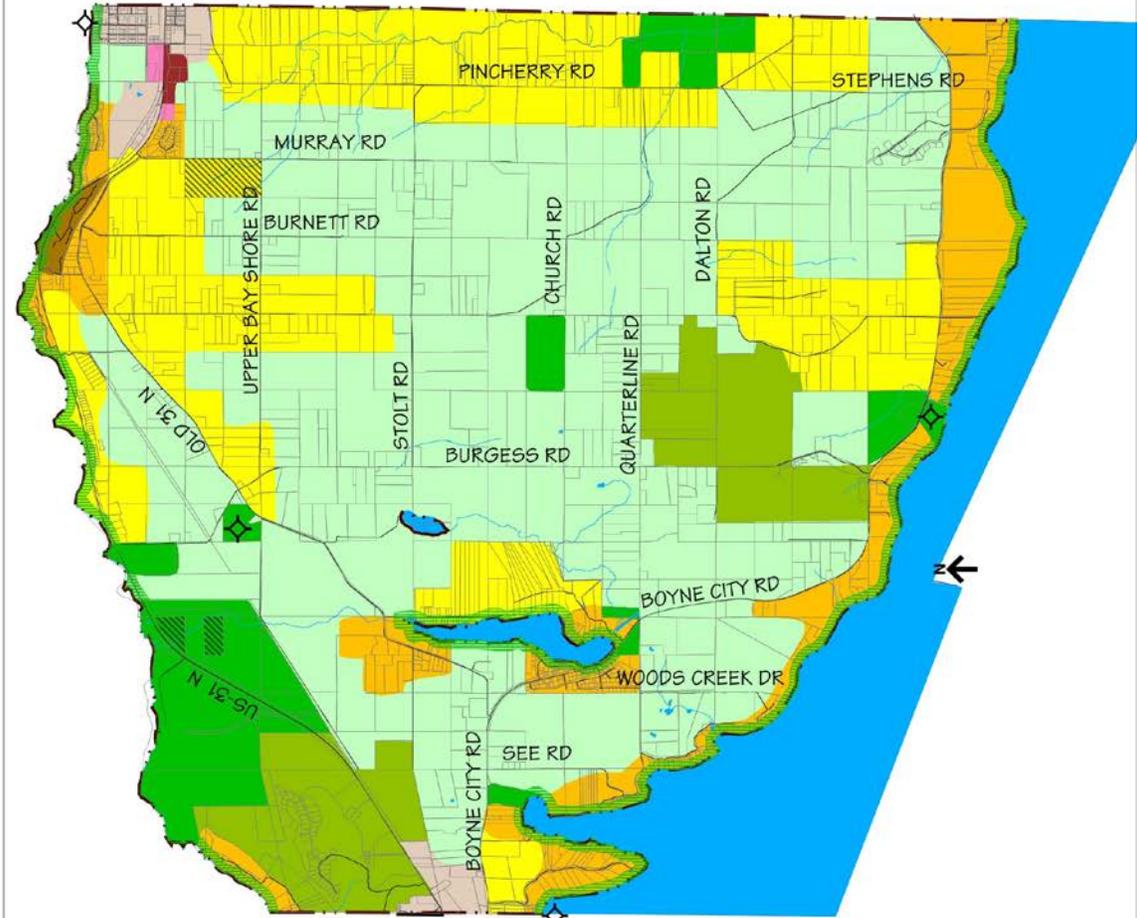
### **Neighborhood Business**

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



**Map Layers**

- FUTURE LAND USE**
  - Lakes
  - Roads
  - Streams
  - Township Boundary
  - Parcels
  - WATERFRONT OVERLAY
  - Parcel Overlay
  - Tribal Trust Property
- FUTURE LAND USE CATEGORIES**
  - CONSERVATION & PARKLAND
  - FARM/FOREST
  - RURAL RESIDENTIAL
  - GENERAL RESIDENTIAL
  - MIXED USE RESIDENTIAL
  - MOBILE HOME PARK
  - COMMERCIAL
  - NEIGHBORHOOD BUSINESS
  - RESORT/RECREATION

Scale: 0, 3,333, 6,667, 10,000 Feet

Hayes Township Parks

Figure B-1

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

Prepared by: M. C. Planning & Design  
Jan. 2014

**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 \_\_\_\_\_. The Township Board approved the draft plan for distribution on \_\_\_\_\_. 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 \_\_\_\_\_ for review and comment. The comments were received from \_\_\_\_\_, and are provided below.

## **Public Hearing**

A public hearing on the proposed Master Plan, for Hayes Township as required by the Michigan Planning Enabling Act, as amended, was held on \_\_\_\_\_. The legally required public hearing notice was published in the Petoskey News Review on \_\_\_\_\_ as well as on the Township website. 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 Township office, 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, \_\_\_\_\_ Township Board members, and \_\_\_\_\_ 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 \_\_\_\_\_, the Planning Commission discussed the comments received. The Planning Commission took action to formally adopt the Hayes Township Master Plan - Update, including all the associated maps by resolution on \_\_\_\_\_.

Per the Michigan Planning Enabling Act, as amended, on \_\_\_\_\_, the Township Board asserted the right to approve or reject the plan. The Township Board formally adopted the plan on \_\_\_\_\_.

## **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.

In accordance with the Michigan Planning Enabling Act, Table 9-1, shows the relationship between the Future Land Use Categories as described in Chapter 8 and the zoning districts as described and regulated in the Hayes Township Zoning Ordinance.

Table 9-1		
Hayes Township		
FUTURE LAND USE CATEGORIES AS RELATED TO ZONING DISTRICTS		
Future Land Use	Zoning District	
Conservation and Parkland	CR	Conservation Reserve
Farm/Forest	A	Agricultural
Resort/Recreation	A	Agricultural
Rural Residential	RR	Rural Residential
General Residential	R-1	Low Density Residential
Waterfront Residential-overlay to Gen. Res.	R-1	Low Density Residential
Mixed Use Residential	R-4	Multi-Family Residential
Mobile Home Park	R-5	Mobile Home Park
Commercial	C-2	General Commercial
Neighborhood Business	C-1	Neighborhood Commercial
Light Industrial	I-1	General Industrial

The first Zoning Ordinance was adopted in 1974. The current ordinance was last amended in 2013. 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 Planning Commission Public Hearing - Minutes

Hayes Township Planning Commission Resolution

Hayes Township Board Meeting Minutes

Hayes Township Board Resolution

Copy of transmittal of adopted plan to adjacent Townships and Counties