



ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
December 11, 2023 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
- E. RECEIVE AND FILE:**
 - 1. RECEIVE AND FILE**
 - a. Unapproved Township Board Meeting Minutes 11.14.23
- F. APPROVAL OF MINUTES:**
 - a. Approve Draft Planning Commission Meeting Minutes 11.13.23
- G. CORRESPONDENCE:**
 - 1. Haggard's Plumbing & Heating
 - 2. McMullen
 - 3. Haines
- H. PUBLIC HEARINGS:**
 - 1. Amendment 004- Rezoning request (Nuffer)
- I. OLD BUSINESS:**
 - 1. Amendment 004- Rezoning request (Nuffer)
 - 2. Housing Discussion – Accessory Dwelling (ADU) Text
 - 3. 5 year Master Plan Update Discussion
- J. NEW BUSINESS:**
 - 1. 2024 Planning Commission Meeting Dates
- K. PUBLIC COMMENT & OTHER PC BUSINESS**
 - 1. Planning & Zoning Administrator Report – Lindsey Wolf
 - 2. Township Board Report – Jean Aukerman
 - 3. Parks & Trails Committee Report –

ADJOURN:



ACME TOWNSHIP REGULAR BOARD MEETING

**ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, November 14, 2023, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:01 p.m.

ROLL CALL: Members present: J. Aukerman, D. Hoxsie, A. Jenema, D. Stevens, L. Swanson, D. White

Members excused: P. Scott

Staff present: Lindsey Wolf, Planning & Zoning Administrator, Cristy Danca, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Limited Public Comment was opened at 7:02 p.m.

Brian Kelley, Acme resident

Dale Sterrett, Acme resident, spoke and provided written correspondence that was accepted as general correspondence to the Board.

Limited Public Comment closed at 7:06 p.m.

B. APPROVAL OF AGENDA:

Supervisor White accepted written correspondence from Kimberly Challender as general correspondence to the Board.

Motion by Swanson, supported by Stevens, to approve the agenda as presented. No discussion. Voice vote. Motion carried unanimously.

C. APPROVAL OF BOARD MINUTES: 10/03/2023

Motion by Aukerman, supported by Hoxsie, to approve the draft Board minutes from 10/03/2023. No discussion. Voice vote. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

a. Clerk – Clerk Swanson stated the annual audit was completed successfully by UHY LLP Certified Public Accountants (formerly Baird & Cotter) the week of October 9th. Board members have written summaries of the audit and were invited to direct questions to Swanson or Jenema. More information will follow at the December meeting. The clerk and deputy clerk participated in a Zoom call with State Representative Betsy Coffia and the Deputy Secretary of State Aghogho Edevbie regarding election information. Acme will have three elections in 2024 – February, August, and November with nine days of early voting before each. February 27, 2024 is the date of the Presidential Primary election. The clerk has also been working on several FOIA requests recently.

b. Parks – None

c. Legal Counsel – None

d. Sheriff – Officer Abbring presented October statistics as follows: there were 11 citations, 19 crashes and 4 arrests in the township. He has been working on retail fraud cases involving the Acme Meijer store. Also, once snow comes, the speed sign will no longer be in use for the winter season.

e. County – Darryl Nelson, Grand Traverse County Commissioner, provided the following

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information: they are finalizing the budget and receiving requests from some departments for more personnel; they have been aggressive and supportive of employees when it comes to compensation and they have seen greater employee retention; in the last year the county's fund balance increased from 20% to 30%; the county will recoup money from the Grand Traverse Pavilions over the next year, as approved payments are received from sources including Medicare and the PACENorth settlement – making up for the 8-million-dollar shortfall this past year. Nelson spoke favorably about the Pavilion's Interim Director, an improved work environment, upgraded software system, and about the Pavilion's financial plan moving forward. Additionally, policies have been put in place to alert commissioners sooner should similar type issues arise.

Rob Henschel, Grand Traverse County Commission Chair, spoke about completion of the county's Continuity of Government plan (COG) aimed at ensuring that governance and essential functions continue to be performed before, during, and after an emergency. He commended Gregg Bird for his efforts. Henschel encouraged local governments to examine their own contingency plans during an emergency.

f. Supervisor – Supervisor White has been working on the Hampshire Drive SAD and the sewer project. He expects to present an update regarding the sewer capacity study at the January meeting. Work continues in the search for a new Metro Fire Chief, and White has been working with Aukerman on Bertha Vos.

g. Planning and Zoning – Wolf and White attended a Road Commission meeting along with other supervisors and planners from Grand Traverse County and the surrounding area. Danca completed short-term rental and medical marijuana license renewals for the upcoming year. The Planning Commission discussed Accessory Dwelling Units (ADU's) at this month's meeting and will continue discussion at the December meeting to determine what purpose they could serve in Acme Township. The Planning Commission will be holding a public hearing for a rezoning of the old Acme Skyport property, originally zoned Agricultural. It was changed to Mixed Housing Neighborhood, and the current owner is seeking a return to Agricultural. The department is gearing up for the 2024 Master Plan review and update to be discussed with the Planning Commission in January.

h. MMR report – October 2023 report included in packet

i. Farmland preservation – RCPP Agricultural Land Easement Monitoring Report included in packet

F. SPECIAL PRESENTATIONS: 2% Tribal Grant Application

1. 2% Grant Request – Holiday Hills Resort

Jim Pearson, Executive Director of Mt. Holiday, provided a handout (included in packet) and further discussed the safety, sustainability, and youth project that was first presented at last month's meeting. He described the type of utility vehicle they are hoping to purchase, spoke about the electrical audit, LED lighting, and magic carpet installation. Mt. Holiday now has a full-time mechanic and all their machines will be maintained by the resort. They have received a \$10,000 donation from a local family. Board discussion occurred.

Motion by Jenema, supported by Stevens, to approve the Tribal Council Allocation of 2% Funds Application submitted by Mt. Holiday for \$97,000 and request that Doug White have the authority to sign off. No discussion. Voice vote. Motion carried unanimously.

2. Farmland Update

Laura Rigan, Farmland Program, provided updated information (Memo included in packet) pertaining to the last remaining applicant in Acme's Round 2 of the PDR Program, and there are sufficient funds to cover the project. Upon final approval of the appraisal from the USDA, Rigan will come back before the Board to request a formal resolution to purchase the easement. Board discussion occurred.

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:

- a. Treasurer's Report

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b. Clerk's Revenue/Expenditure Report and Balance Sheet

2. APPROVAL:

1. Accounts Payable Prepaid of \$132,308.74 and NO current to be paid
(Recommend approval: Clerk, L. Swanson)

Motion by Jenema, supported by Stevens, to approve the Consent Calendar as presented. No discussion. Roll call vote. Motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

I. CORRESPONDENCE: None

J. PUBLIC HEARING:

1. Acme Township Parks and Recreation Master Plan 2024-2029

Jenema and Wolf summarized how the current plan came to be, beginning with brainstorming in March 2023, to the multiple public outreach opportunities, to the demographic changes and to the shifting of some goals as compared to the previous plan. Updating the plan provides the opportunity to apply for additional grant money to further improvements that have been made and to use toward new projects. During the 30-day review time frame, one comment was received that will be incorporated into the plan. Other people provided written comment outside the review period and those will also be included in the plan.

Public hearing opened at 8:07 p.m.

Dale Sterrett, Acme resident, asked about the impact of the housing development at the Kmart property on area recreation, law enforcement and park maintenance. Wolf, Officer Abbring, and Jenema spoke to these issues.

Brian Kelley, Acme resident, spoke favorably about the new Parks and Recreation Master Plan. He posed questions about retaining goals that received little survey support like art in the parks and adding ball fields. He also suggested separating residency data received from the survey questions by residents and nonresidents. He commented on the parks being busy over the summer, the occurrence of large events, and overflow parking on the grass as a possible deterrent for local park goers. He spoke about traffic noise at Bayside Park and the possibility of an ordinance prohibiting jake braking and/or installation of a noise buffer along U.S. 31. He also expressed concern about gas station runoff in the easement.

Public hearing closed at 8:18 p.m.

Board discussion occurred.

K. NEW BUSINESS:

1. Acme Township Parks and Recreation Master Plan 2024-2029

Motion by Jenema, supported by Swanson, to approve the Parks and Rec Master Plan as presented *Resolution #2023-27*. No discussion. Roll call vote. Motion carried unanimously.

L. OLD BUSINESS:

1. Discussion on Hampshire Hills SAD

White began by stating that Hampshire Drive residents received a questionnaire asking whether they were in favor of moving forward with the SAD and preliminary information from the Road Commission was provided on the questionnaire. Of the 54 postcard questionnaires mailed out, responses received by the township totaled 12 'Yes' and 11 'No'. November 6th White received notice that Al and Cynthia

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Schneider, residents of Hampshire Drive, filed a lawsuit against Acme Township (included in packet). White read aloud a memo (included in packet) from legal counsel Jeff Jocks regarding the lawsuit. Board discussion occurred. Two Hampshire Drive residents spoke briefly. Board discussion continued.

Motion by Jenema, supported by Aukerman, that the Township move forward with the resolutions being drafted by John Axe for our next regular scheduled meeting for the Hampshire Hills SAD district. No discussion. Roll call vote. Motion carried unanimously.

Board discussion occurred.

2. Continued discussion on Rules of Procedures (draft included in packet)

White began discussion by inviting the Board to ask questions. Jenema asked Danca about 4.1 as it pertained to stating name and address. Board discussion occurred.

Motion by Jenema, supported by Swanson, to approve the Acme Township Board: Rules of Procedure with the change under 4.1 to He/she may state name and address before addressing the Board not shall. No discussion. Voice vote. Motion carried unanimously.

3. Update on East Bay Lift Station #1 Force Main

White referred to the project status meeting information (included in packet). He is waiting for information regarding recent survey work pertaining to location of the new force main. Board discussion occurred regarding location and funding of this potentially 12-million-dollar project.

4. Discussion on Property Acquisition

White stated that after one year of working diligently with Aukerman on acquiring the Bertha Vos property, the cost involved ultimately exceeds Acme Township's budget. He requested a motion to end negotiations with TCAPS. Board discussion occurred centered primarily on financial concerns.

Motion by Hoxsie, supported by Stevens, to end negotiations with TCAPS (Traverse Area Public Schools) regarding purchase of the Bertha Vos Property because the price to purchase the property and upgrade infrastructure to make it usable for Acme Township's intended purpose exceeds Acme's budget. No discussion. Roll call vote. Motion carried unanimously.

White spoke about the ASCOM building and adjoining lot as a potential property acquisition. Aukerman handed out a comparison chart (included in packet) that the Board had requested she and White create following the closed session portion of the October Board meeting. The rest of the Board and the public present, viewed the chart for the first time during this November meeting. The current owners of the ASCOM building, Dave Barth and Dave Wierenga, were present to answer questions. Board discussion occurred regarding information on the comparison chart. White moved to recess for ten minutes to review a Purchase Agreement (included in packet) for the Ascom Building and Vacant Lot. The Board agreed unanimously.

Board recess began at 9:56 p.m.

Board reconvened at 10:07 p.m.

Per Aukerman, the purchase agreement was created by a real estate attorney. Board discussion occurred regarding access to the building for inspections, etc.

Motion by Jenema, supported by Hoxsie, to sign the Purchase Agreement for the Ascom Building and Vacant Lot, give permission for White to sign on behalf of Acme Township as presented. No discussion. Roll call vote. Motion carried unanimously.

White noted that Mr. Barth and Mr. Wierenga were present and prepared to sign the agreement tonight.

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The Board agreed to Aukerman's request to contact other entities that could, based on community feedback, provide future on-site small-scale community programming, events, etc. in the new building.

PUBLIC COMMENT and OTHER BUSINESS:

Public Comment opened at 10:16 p.m.

Brian Kelley, Acme resident

Board discussion occurred regarding Metro Fire Department.

Chuck Stevens, Acme resident

Board discussion occurred regarding elections.

Motion by Swanson, supported by Hoxsie, to adjourn the meeting. No discussion. Voice vote. Motion carried unanimously.

The meeting was adjourned at 10:21 p.m.

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ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
November 13, 2023 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Dan VanHouten, Jack Challender, Steve Feringa, Dan Rosa, Karly Wentzloff, Jean Aukerman, Marcie Timmins

Staff present: Lindsey Wolf, Acme Planning and Zoning; Sarah Kopriva, Planner, Beckett and Raeder, Marcie Timmins, recording secretary.

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion.

Opened 7:02

Brian Kelley- Discussed the new master plan update coming up and water quality. Looking back over the last 5 years at our new zoning ordinance, it increases density on parcels, it increases coverage, in some perspectives it diminishes water quality in our community. Doesn't feel there was any gains to water quality in the ordinance. Had nice language in our last master plan about water quality but questions where the follow through is. Talked about the solar project and Mt. Hope project. Feels there are some real issues with the enforcement with our current master plan. Talked about people in our community still wanting rural character. Talked about the public engagement process and how important that is. How even though the township asked for public engagement with all the recent zoning changes there was zero public engagement. The gentleman here tonight had no idea of the zoning change and that is a failure of public engagement.

Public comment closed at 7:05

- B. APPROVAL OF AGENDA: Motion by Rosa, support by Timmins to approve the agenda with the addition of G.2 and G.3**

Motion carries unanimously

- C. INQUIRY AS TO CONFLICTS OF INTEREST: Noted Challenders wife wrote a letter of correspondence.**

- D. SPECIAL PRESENTATIONS:**

- E. RECEIVE AND FILE:**

1. RECEIVE AND FILE

- a. Approved Township Board Meeting Minutes 9.5.23- Motion by Feringa, support by Challender to approve the Board meeting minutes of 9/5/23.**

Motion carries unanimously

- b. Unapproved Township Board Meeting Minutes 10.3.23-Motion by Feringa, support by Challender to approve the Board meeting minutes of 10/3/23.**

Motion carries unanimously

- F. APPROVAL OF MINUTES:**

- a. Approve Draft Planning Commission Meeting Minutes 9.11.23 Motion by Rosa, support by Timmins to approve the Planning Commission meeting minutes of 9/11/23 with changes; changing AUD to ADU. Put in John Iacoangeli full name, correct Dan VanHouten's name. Correct the spelling in public comment to properties.**

- G. CORRESPONDENCE:**

1. Beckett & Raeder

2. Challender

3. Kelley-Short term rentals and enforcement, them being owned in LLC's. Setbacks with ADU's. Expanding the ordinance to allow ADU's before solving the STR enforcement issue would be grossly irresponsible and a dereliction of your obligations to protect the health, safety and welfare

of this community.

H. PUBLIC HEARINGS:

1. None

I. OLD BUSINESS:

1. Housing Discussion – Accessory Dwelling (ADU) Text- Kopriva- looks like the ordinance in front of us doesn't have any changes in it. After reading the minutes Kopriva is unclear if the committee was thinking about things or if at this meeting Becket and Raeder is supposed to provide more information.

Wentzloff- There were changes the committee wanted to make that were different from John I's recommendation and we wanted to be able to have a conversation on some of them. Specifically; separate metering vs metering together; allowing them on lots with septic. Unclear if an ADU is attached how it is any different than a duplex.

Kopriva- It basically is (a duplex), the only thing that is being limited is the size. On a duplex you don't have the same restriction as to what the second size would be.

If we are more comfortable with it we can start out making them detached. It is just usually more cost effective and easier to transition too, but there is nothing wrong with making them only a detached structure.

Discussed manufactured vs. mobile home, they are not the same.

Per a question from Jeff Jocks, discussed what would happen if a home with a tourist home license also wanted an ADU.

Added a word to point #4- ADU's shall be subordinate to the conforming single family dwelling unit.

Kopriva- if someone wants to put an ADU on property that has a septic system they would be required to provide proof ,from the health department, if they are doing an addition and they are on a septic. We would require that proof prior to issuing a land use permit. That would be required even if the language isn't put in the ordinance.

Everyone agreed the language should be put in the ordinance so people know the exact process up front.

Feringa thinks that some of the other things we discussed like multi-family homes, manufactured homes, tourist homes should have something in the definition that says what people can and can't do so that it is also transparent.

Kopriva thinks it will be more like a fact sheet that Wolf will have to put together so people can go and find it all for that process.

Kopriva if the committee is comfortable having ADU's on a septic she will add the language in.

Discussion followed as to who makes sure that the septic permits are followed.

Kopriva-essentially you would be removing number 1 in the list, because it limits it to districts with sewer.

Wentzloff- yes

Kopriva- The requirement would be just, permitted districts, properties with single family dwelling units as a principal use.

Also thinks it should go into the table, because that is where people will be looking for those things. Then number 2 could go away also.

Discussion on setbacks.

Wentzloff and Feringa don't believe we should have different standards for ADU's because people could add on to a single family home in a way that is just as invasive to the neighbors.

Discussion followed, and the committee agreed.

Kopriva-circling back to point 4, wanted to make sure the committee only wanted ADU's allowed with single family dwellings, not duplex triplex etc.

Feringa questioned intent, number 14 talks about rental time. In his mind it is not a to be used as a rental it is an accessory use for a single family home owner. He is looking at it as an accessory to a single family unit, that's it. That is why he doesn't see them needing separate meters or addresses. That is why he thinks it is really important to get the definitions down.

Kopriva- thinks it may be good to add the intent to the intent and purpose section. It's good to have that mindset before setting regulations.

Discussion followed.

Kopriva the next discussion point is number 7, whether they are attached or detached.

Wentzloff brought up enforcement vs. intent and they are two separate conversations.

Rosa- brought up reducing the size of the ADU from 950 ft. to much less so it doesn't look so desirable to stay in for too long.

Discussion followed. It was decided that we needed to carry the discussion over due to the amount that needed to be considered. It was also decided that enforcement played a major roll on which way the township would feel most comfortable going with consideration to using the ADU's as rentals.

Rosa asked about the enforcement side of short term rental and if it would be beneficial for the township to have one of the host compliance software programs to help with enforcement instead of hiring extra staff?

Wolf- Spoke with East Bay about their host compliance system. It was \$10,000 for the software. If you want them to send compliance letters and follow up the price goes up. East Bay just changed from Granicus to a new company called Gov.US. They haven't had the new company on. Would rather wait and get feedback before spending \$10-\$15k a year.

Discussed compliance system options.

Wentzloff-asked Kopriva to make the changes that were talked about and have an updated copy and then come with a vision of what should and shouldn't be in there

and a direction.

Aukerman- Asked Wolf other than in Ag. is there currently demand for ADU's in other parts of the township?

Wolf- not so much in other parts.

Discussion on ADU's will continue at future meetings.

J. NEW BUSINESS:

1. Amendment 004- Rezoning request (Nuffer)- Wolf- has discussed this parcel multiple times with Mr. Nuffer. This is a dual zoned parcel. Since the previous ordinance the front parcel has been zoned corridor flex. The back portion is zoned AG. like the neighboring parcels.

This is still an active airport when Mr. Nuffer purchased it. He purchased a legal non-conforming parcel. The AG district was and is still the only district where Acme allows an airport or airstrip with a special use.

There are a significant amount of wetlands on the north parcel, that currently are calling for one of our highest density zones. There is no water and sewer that service this district.

There is a private easement that leads to the parcel, to have a higher density that easement would have to be widened. Talked with Jeff Jocks if we rezone it will not create a spot zoning scenario. It goes with the future land use map, the future land use map doesn't have this area reserved for high density. Doesn't like that a non-conforming use was created where there was a conforming use. Supports it from a staff stand point.

Wentzloff- So if it was changed back to AG it would be conforming?

Wolf- It would be conforming with a special use. If he made any changes or wants to build any additions he would have to come through the special use process.

Rosa- asked about traffic

Nuffer- it is pretty seasonal, right now there are only about 3-4 cars on the weekend

Motion by VanHouten, support by Feringa to set a public hearing for December 11 Planning Commission meeting to consider Zoning Ordinance Amendment 004 for the application to request to rezone approximately 13.13 acres of land from MNM:Mixed Housing Neighborhood to A-1: Agricultural located at 5400 Lautner Road, Parcel ID 28-01-101-015-00, owned by Eric Nuffer.

Motion carries unanimously

2. 5 year Master Plan Update Discussion -Have to start the five year update in 2024. Would like the committee to go through the current goals and actions and identify what should change and what should stay the same. Would like to talk about it at the January meeting and determine if it is going to be just an update or an overhaul.

K. PUBLIC COMMENT & OTHER PC BUSINESS

L. Public comment opened at 8:39

David Kipley- neighbor to the rezoning request property. Gave history of the property. Concerned about airplanes crashing on his farm.

Brian Kelley- General point that ADU setback is the same as a house. He believes it is a very different thing.

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Lisa Swanson, Clerk, within 24 hours of the meeting at 938-1350.

Believes the township has an obligation to have credible ordinance enforcement before we allow ADU's. State legislation has been working for years to allow short term rentals, we could allow these ADU's with the best intentions and Lansing could come in and open it up.

Public comment closed at 8:52

1. Planning & Zoning Administrator Report – Lindsey Wolf- may have filled the last committee member slot on the shoreline subcommittee. The park plan will have a public hearing at the December board meeting.
2. Township Board Report – Jean Aukerman- Property acquisition will be talked about at the December board meeting.
3. Parks & Trails Committee Report –

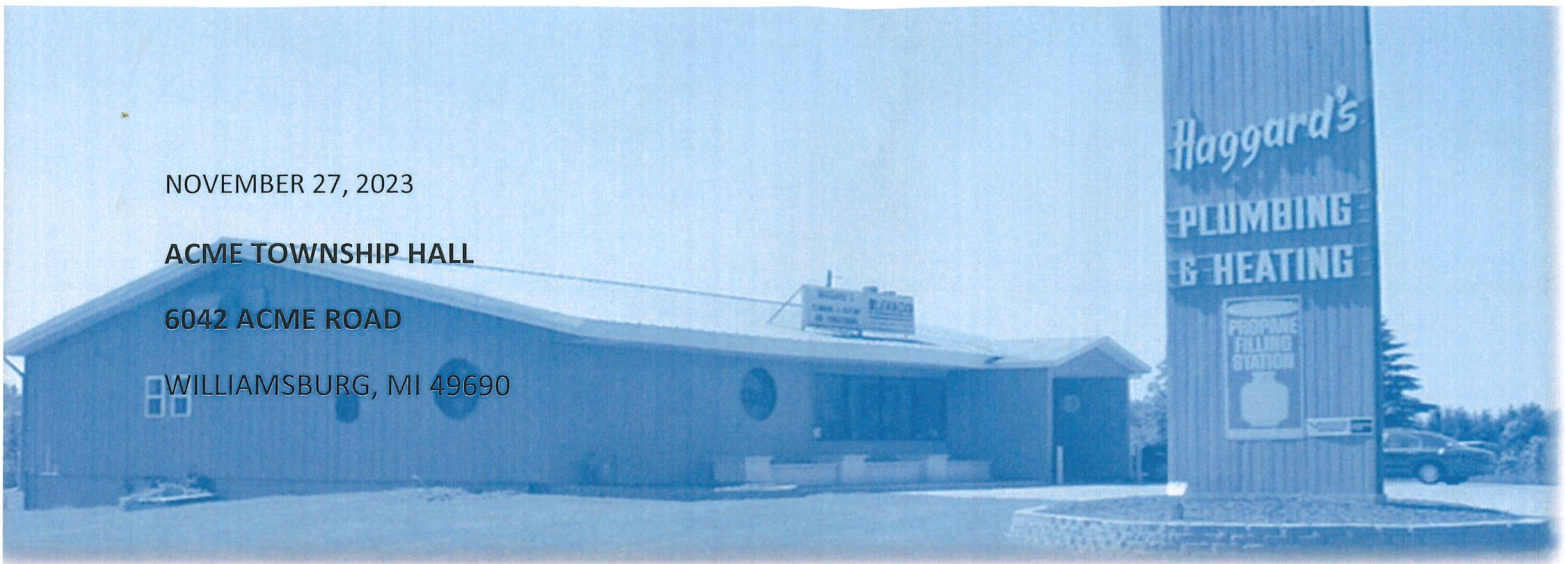
**ADJOURN: Motion by Timmins, support by Challenger to adjourn.
Motion carries unanimously.**

NOVEMBER 27, 2023

ACME TOWNSHIP HALL

6042 ACME ROAD

WILLIAMSBURG, MI 49690



Ref: Zoning Ordinance Amendment 004 – Nuffer Property Rezone Request;

Parcel No: 28-01-101-015-00, Legal Description: E 1596.97' OF SW ¼ N OF RR R/W EXC S 224.45' OF W 550.62' SEC 1 T27N R10W

The proposed map amendment would rezone the 13.99-acre property located at 5400 Lautner Road Williamsburg, MI 49690 (current Acme Skyport), from MHN:Mixed Housing Neighborhood to AG Agricultural. The property is more fully described as: Parcel No: 28-01-101-015-00

To Whom It May Concern,

Upon reviewing the above notice, I would like to express my view on the above request. Haggard's Plumbing & Heating is not opposed to the changes of the property and or the request. If a property owner is fortunate enough to have the ability and the resources in this time to either build and or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote in any way possible.

Sincerely,

Frank Cesaro

Haggard's Plumbing & Heating

Lindsey Wolf

From: Mitch McMullen <mitchellmcmullen20@gmail.com>
Sent: Tuesday, December 5, 2023 12:35 PM
To: Lindsey Wolf
Subject: Support for the Acme Skyport

Lindsey,

I wanted to express my support for the rezoning of the Acme Skyport to Agriculture. As a local pilot and resident, I unequivocally support Eric Nuffer's proposal for the re-zoning.

Small, local airports contribute greatly to the economy in ways the average citizen does not understand. The re-zoning of this property to agriculture will allow future improvements to the site such as a runway expansion, the construction of new hangars, and a clubhouse for the community of pilots and young residents to discover aviation as a hobby or career.

This will open so many doors for the aviation community and also the Grand Traverse residents at large.

More pilots will be able to access Traverse City without clogging up the air traffic at KTVC, freeing up IFR arrival slots for more commercial flights. The property will be worth more with improvements, resulting in more tax revenue for Acme Township. A business or two will be able to operate out of the Skyport (flight school, skydiving, aviation mechanic, etc.). EAA could have an outpost at the airport, contributing to community engagement, fundraisers, and furthering the advancement of aviation with our youth.

I think the benefits of this re-zoning request drastically outweigh the negatives. I hope the zoning administration can see this and agree.

Nonetheless, it is not my decision, but I wanted to express my support for Eric Nuffer.

Sincerely,

Mitch McMullen

Lindsey Wolf

From: Ed Haines <hawk@redhawkusa.net>
Sent: Tuesday, December 5, 2023 12:53 PM
To: Lindsey Wolf
Subject: Acme Skyport

I would love to see the Acme Skyport flourish. This is where I took my first flying lesson in 1980 and have fond memories of it. What They've done so far is a very nice clean operation and only good things can come from this rezoning. Thank You, Ed Haines

TOWNSHIP OF ACME
NOTICE OF HEARING

PLEASE TAKE NOTICE that the ACME TOWNSHIP PLANNING COMMISSION will hold a public hearing at its regular meeting on Monday, December 11, 2023 at 7:00 p.m. at the Acme Township Hall, 6042 Acme Road, Williamsburg, MI 49690, to consider the following amendment to the Acme Township Zoning Ordinance:

Zoning Ordinance Amendment 004 – Nuffer Property Rezone Request

The proposed map amendment would rezone the 13.99-acre property located at 5400 Lautner Road Williamsburg, MI 49690 (current Acme Skyport), from MHN: Mixed Housing Neighborhood to AG Agricultural. The property is more fully described as:

Parcel No.: 28-01-101-015-00

Legal Description: E 1596.97' OF N 1/2 OF SW 1/4 N OF RR R/W EXC S 224.45' OF W 550.62' SEC 1 T27N R10W

All interested persons are invited to attend and be heard at the public hearing(s) before the Planning Commission. After the public hearing(s) the Planning Commission may or may not deliberate and make its recommendation based on the Acme Township Zoning Ordinance to the Township Board, which will subsequently take appropriate action on the application.

The application for the proposed amendment may be inspected at the Acme Township Hall between 7:30 a.m. and 5:00 p.m. Monday through Thursday. The application materials will also be available on the Acme Township website www.acmetownship.org under the current meeting minutes tab. If you are planning to attend and require any special assistance, please notify Lisa Swanson, Township Clerk, within 24 hours of the meeting at 938-1350. Written comments may be directed to:

Lindsey Wolf, Planning & Zoning Administrator
6042 Acme Rd, Williamsburg, MI 49690, (231)938-1350, zoning@acmetownship.org

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000
Fax (231)946-8273

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ACME TOWNSHIP
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6042 ACME ROAD
WILLIAMSBURG MI 49690

Start: 11/24/2023 Stop: 11/24/2023
Times Ord: 1 Times Run: ***
STDAD 3.00 X 4.43 Words: 273
Total STDAD 13.29
Class: 147 LEGALS
Rate: LEGAL Cost: 136.45
Affidavits: 1

Contact: LISA SWANSON
Phone: (231)938-1350
Fax#: (231)938-1510
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RE A 97 W Fri 11/24/23 1 Fri 11/24/23 SMTWTFS
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Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

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We appreciate your business.

(CONTINUED ON NEXT PAGE)

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN O'BRIEN

Printed at 11/21/23 09:54 by mobri

Acct #: 6

Ad #: 609183

Status: New WHOLD WHOI

LEGAL NOTICE

**TOWNSHIP OF ACME
NOTICE OF HEARING**

PLEASE TAKE NOTICE that the ACME TOWNSHIP PLANNING COMMISSION will hold a public hearing at its regular meeting on Monday, December 11, 2023 at 7:00 p.m. at the Acme Township Hall, 6042 Acme Road, Williamsburg, MI 49690, to consider the following amendment to the Acme Township Zoning Ordinance:

Zoning Ordinance Amendment 004 - Nuffer Property Rezone Request

The proposed map amendment would rezone the 13.99-acre property located at 5400 Lautner Road Williamsburg, MI 49690 (current Acme Skyport), from MHN: Mixed Housing Neighborhood to AG Agricultural. The property is more fully described as:

Parcel No.: 28-01-101-015-00

Legal Description: E 1596.97' OF N 1/2 OF SW 1/4 N OF RR R/W EXC S 224.45' OF W 550.62' SEC 1 T27N R10W

All interested persons are invited to attend and be heard at the public hearing(s) before the Planning Commission. After the public hearing(s) the Planning Commission may or may not deliberate and make its recommendation based on the Acme Township Zoning Ordinance to the Township Board, which will subsequently take appropriate action on the application.

The application for the proposed amendment may be inspected at the Acme Township Hall between 7:30 a.m. and 5:00 p.m. Monday through Thursday. The application materials will also be available on the Acme Township website www.acmetownship.org under the current meeting minutes tab. If you are planning to attend and require any special assistance, please notify Lisa Swanson, Township Clerk, within 24 hours of the meeting at 938-1350. Written comments may be directed to:

Lindsey Wolf, Planning & Zoning Administrator
6042 Acme Rd, Williamsburg, MI 49690, (231)938-1350,
zoning@acmetownship.org

November 24, 2023- 1T

609183

STATE OF MICHIGAN
DEPT OF TRANSPORTATION
P O BOX 30050
LANSING MI 48909

KIPLEY JILL A ETAL
4085 CIRLCE VIEW
WILLIAMSBURG MI 49690

GRAB INC
333 FORT ST
PORT HURON MI 48060

RITTER DENNIS M & AUDREY S
5532 LAUTNER RD
WILLIAMSBURG MI 49690

FINCH THOMAS & CAROL
5311 BUNKER HILL RD
WILLIAMSBURG MI 49690

BELANGER LORRAINE
5260 S LAUTNER RD
WILLIAMSBURG MI 49690

WEATHERHOLT KNEALE & TAMMY K
5440 LAUTNER RD
WILLIAMSBURG MI 49690

GRIFFITH LEWIS C
5181 LAUTNER RD
WILLIAMSBURG MI 49690

NUFFER ERIC
MYLES-NUFFER WILLOW
722 E STATE ST
TRAVERSE CITY MI 49686

GRIFFITH LEWIS
5181 LAUTNER RD
WILLIAMSBURG MI 49690

DUNNILL JOSEPH E & BRANDI S
5420 LAUTNER RD
WILLIAMSBURG MI 49690

Petition for Zoning Change

Eric Nuffer and Willow Myles-Nuffer

Phone: 231-649-6663

Email: givingwings@gmail.com

Primary Residence:
722 East State St.
Traverse City, MI 49686

Secondary Residence:
5754 Ridge Rd.
Williamsburg, MI 49690

Narrative:

The current zoning designation for Parcel Number 28-01-101-015-00 is Mixed Housing Neighborhood. The zoning designation was recently changed from Agriculture with the adoption of the Acme Township Zoning Ordinance in July of 2022. I am requesting a rezoning of the parcel back to an Agriculture designation.

We believe the rezoning is warranted for a number of reasons:

- The Mixed Housing Neighborhood designation is designed to support and encourage a higher density of housing that is impossible to achieve due to not having city water, sewer and natural gas available. Furthermore, the parcel is only accessible via legal two track easement.
- The prior owner, Mr. Lewis Griffith, was not aware that the property was going to be rezoned. The township is not required to notify individual property owners, however had this been done there would be no question Mr. Griffith would have challenged the change.
- Our parcel is located adjacent to property that is zone Agricultural. We wonder how it was decided that our parcel would change but the adjacent parcels to the east would not be changed.
- We are currently a Legal Non-Conforming parcel. We have been working hard to repair the existing buildings and to clean up what was once an eyesore to all that passed by on TART trail. It is important to us to have it rezoned so that we may work with the Acme Zoning Administrator to continue to improve our property, without having to initially work through the Zoning Board of Appeals.

The natural features of the property include level grasslands, one beautiful oak tree and a small clump of birch trees. The property is accessible through a legal easement which runs parallel to the TART trail. There are no deed restrictions on the property. The neighboring parcels to the east are zoned Agricultural and are vacant. To the south lies the TART trail and the Railroad. No public railroad crossings are permitted along the length of the TART trail. The land to the north is vacant as well. The land to the west of the parcel has a single-family home on it.

Thank you for your time and attention to this matter.



Eric S. Nuffer



Willow Myles-Nuffer



Petition for Zoning Change

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Planning & Zoning Administrator: Lindsey Wolf Email: zoning@acmetownship.org

Please fill out the following application as completely and legibly as possible:

A. Owner/Applicant Information:

Owner/Applicant's Name: Eric S. Nuffer & Willow Myles - Nuffer

Owner/Applicant's Current Mailing Address: 722 East State St.

City: Traverse City State: MI Zip Code: 49686

Phone Number: 231-649-6663 Email: givingwings@gmail.com

B. Required Information (attach additional pages as needed):

1. Property Address/Location: 5400 Lawtner Rd.

2. Parcel Number: 28-01-101-015-00

3. Proof of current property ownership. If applicant is not the current property owner, also provide written and signed permission for applicant to act as agent of, and complete contact information for, the current property owner.

4. Sealed survey and legal description for property proposed for rezoning.

5. State the current zoning designation, proposed zoning designation and why you are petitioning for and believe that the property should be rezoned.

6. Describe the natural features and characteristics of the property.

7. Describe the existing land use on the property and on all immediately neighboring properties.

8. State whether deed restrictions exist on the property. If so, provide documentation. Discuss how they do or would affect the use of the property.

C. Submission Requirements (additional items may be requested depending on the circumstances):

1. Signed original copy of this application form.
2. Signed original copy of Fee Escrow Policy Acknowledgement
3. Initial fee as required by Acme Township Schedule of Fees
4. PDF files for all application materials and attachments
5. CAD and/or GIS shapefiles for area proposed for rezoning
6. If you have prepared any oversized site plans or documents, provide 10 copies of each

D. Affidavit:

The undersigned affirms that ^{we are} ~~he/she~~ is the OWNERS (owner, agent, lessee, or other interested party) involved in this petition and that the foregoing answers, statements and information are in all respects true and, to the best of ^{our} ~~his/her~~ knowledge, correct. By making this application, the undersigned grants all officials, staff and consultants of Acme Township access to the subject property as required and appropriate to assess site conditions in support of a determination as to the suitability of the proposed project and/or current or future special use permit and zoning ordinance compliance.

Signature: *E.S. Deffe* *Willem Weyler - Deffe* Date: 10/30/2023

FOR TOWNSHIP USE ONLY

Application No.: _____ Date of Advertising: _____
Date Received: _____ Date of Hearing: _____
Fee Tendered: _____ PC Recommendation: _____
Board Action: _____ Effective Date: _____

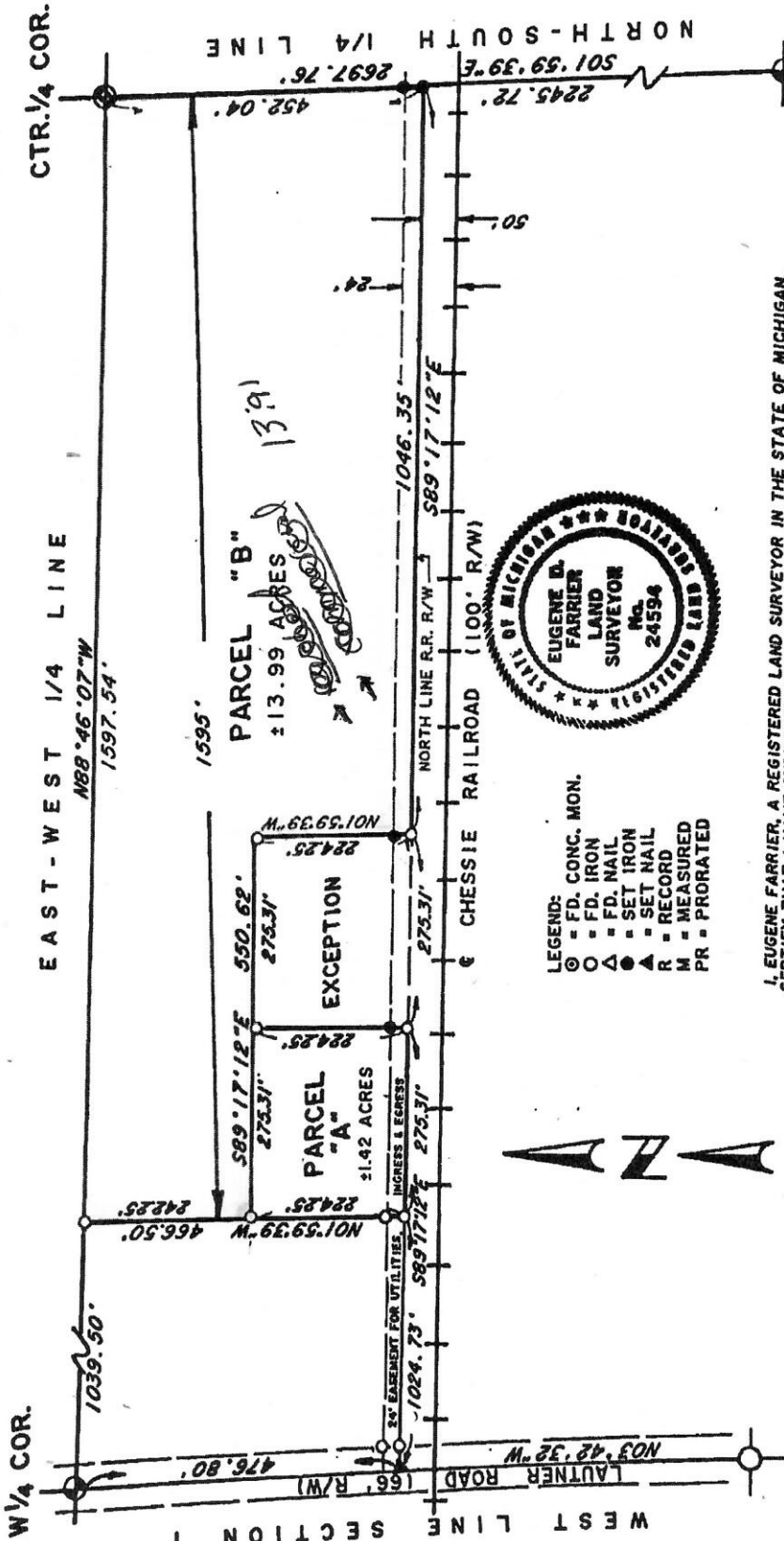
NOTES

CERTIFICATE OF SURVEY

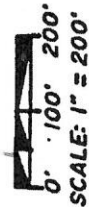
Parcel B

W $\frac{1}{4}$ COR. SEC. 1, T27N-R10W
 1" PIPE IN MON. BOX
 S73°E 113.97' NW COR PORCH
 S72°W 95.50' NE COR PORCH

CTR $\frac{1}{4}$ COR. SEC. 1,
 T27N-R10W
 WITTED LIB. 1, PG. 417



- LEGEND:
- = FD. CONC. MON.
 - = FD. IRON
 - △ = FD. NAIL
 - △ = SET IRON
 - ▲ = SET NAIL
 - R = RECORD
 - M = MEASURED
 - PR = PRORATED



EUGENE FARRIER, A REGISTERED LAND SURVEYOR IN THE STATE OF MICHIGAN,
 CERTIFY THAT I HAVE SURVEYED THE PARCEL OF LAND HEREON DESCRIBED
 AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT I
 HAVE COMPLIED WITH THE SURVEY REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Eugene D. FARRIER
 EUGENE D. FARRIER
 LAND SURVEYOR
 No. 24594

DATE 2-21-89

S $\frac{1}{4}$ COR SEC. 1, T27N-R10W
 1" PIPE
 S80°W 94.24' P. POLE
 S15°W 60.24' 9" R. PINE
 S48°W 82.57' 8" R. PINE



Planning and Zoning Staff Report

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission

From: Lindsey Wolf, Planning & Zoning Administrator

Date: December 5, 2023

Re: Zoning Ordinance Amendment 004 –Lautner Rezoning Application; parcel 28-01-101-015-00

Applicant/Owner: Eric Nuffer
5400 Lautner Rd
Williamsburg, MI 49690

Parcel Address: 5400, Williamsburg, MI 49690

Parcel Number: 28-01-101-015-00

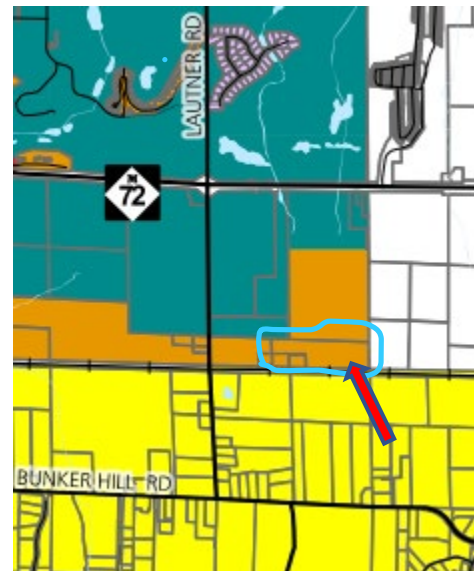
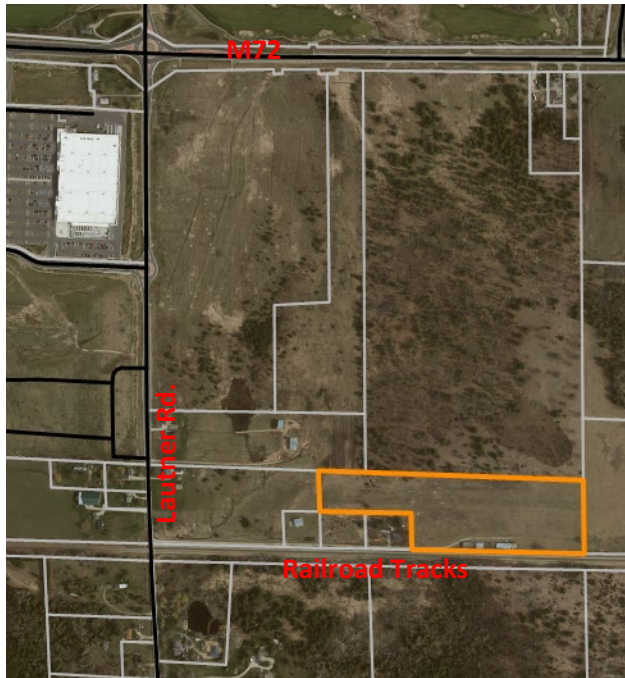
Legal Description: E 1596.97' OF N 1/2 OF SW 1/4 N OF RR R/W EXC S 224.45' OF W 550.62' SEC 1 T27N R10W

Current Zoning: MHN: Mixed Housing Neighborhood District

Amendment Request:

The Applicant/Owner is seeking a rezoning of a 13.99-acre parcel along the east side Lautner Rd (just north of the railroad tracks) from MHN: Mixed Housing Neighborhood to A-1: Agricultural District. The property is currently home to the Acme Skyport. The owner would like to rezone the property to bring the current use into compliance with the zoning ordinance. Currently, as it is zoned (MHN) the use is considered legal nonconforming.

Subject Property:



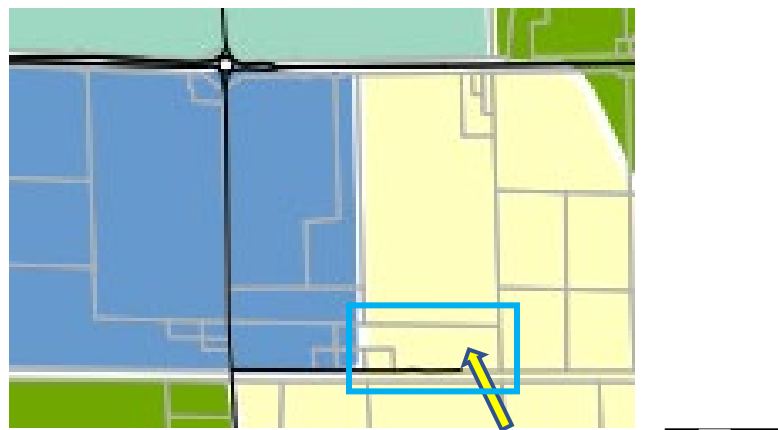
Analysis:

The applicant wishes to use the area proposed for rezoning to accommodate the Acme Skyport. An airport or airfield are not an allowed use under the MHN: Mixed Housing Neighborhood District but would be permitted through a special use permit in the A-1: Agricultural District §3.2.

13.1.3 Amendment Review Procedure

D. Planning Commission Consideration and Recommendation: Subsequent to the hearing, the Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all relevant factors and shall report its findings and recommendation to the Township Board. ***In considering an amendment to the Official Zoning Map (rezoning) or Ordinance text, the Planning Commission shall consider the following factors in making its findings and recommendations, although not all standards must be met in order to recommend approval of an amendment:***

- 1. Consistency with the Master Plan’s goals, policies, and future land use map, including planned timing or sequence of development. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area shall be considered.**



Future Land Use

Data Sources: Michigan Geographic Data Library, Grand Traverse County Equalization

| | | |
|--------------------------------|---------------------|--------------------|
| Agriculture | Residential - Rural | Resort Residential |
| Commercial / Business | Residential - Urban | PDR Eligible Areas |
| Light Industrial & Warehousing | Town Center | |
| Recreation / Conservation | Mixed Use Villae | |

The future land use map designates this parcel as Residential Rural. The Acme Township Community Master Plan defines Residential Rural as:

*The rural residential category encompasses areas in Acme Township with special natural features that shall be preserved in the environmentally significant areas as identified on the Future Land Use Map. This category also encompasses those areas of rolling hills and open spaces that were formerly agricultural or are in a transitional state from agriculture to residential and complementary uses. **The density is generally low to medium, with single-family houses built on large-scale parcels.** The land features in this category include level fields, gently rolling hills, steep slopes, thick woodlands, wetlands, creeks, and streams. In all new residential construction, conservation-development designs shall be used to retain the vegetation, natural features, and open space existing on the developed sites. **Land uses***

adjacent to the streams and wetlands of Yuba Creek should use sound environmental stewardship and ecological practices in order to conserve natural resources and protect highly sensitive ecosystems as well as ground- and surface water.

The objectives of this category are to provide limited and low density residential development in the rural areas of the Township where sensitive ecosystems and special natural land features such as steep slopes, creeks and streams are prevalent. However, conservation-development designs will be strongly encouraged to prevent sprawling development that undermines the integrity of open space and agricultural uses, and appropriate buffers should be planned to minimize the impact on existing agricultural uses. Another important objective is to encourage responsible stewardship among landowners in the development of the land so that the natural features are preserved to the fullest extent, especially in the areas with highly sensitive ecosystems and where special natural features abound, through the use of cluster housing, open-space development, and planned-unit development.

In the areas with highly sensitive natural features and ecosystems, the Township shall insist on conservation development in order to protect the most sensitive land by clustering housing on the least sensitive land. Land uses in the Rural Residential areas should comport with the policies and actions of the Cornerstones.

The current zoning designation of MHN conflicts with the future land use category, as this allows for 12 dwellings units per acre/3,630 SF minimum lot area vs. 0.2 dwelling units per acre/5-acre minimum lot area in the AG district. This parcel is also directly south of some significant wetlands and a branch of Yuba Creek. There are no water and sewer services to this parcel that would support high density development.



2. Compatibility of all the potential uses allowed in the proposed zoning district(s) with the site’s physical, geological, hydrological, and other environmental features.

The current owner wishes to utilize the property for the existing and active Acme Skyport – a new owner may decide to have a completely different use. It is important to consider all the uses this will open in the district, as one will have a different impact than the other (health, safety, welfare). When considering a zoning change it is important to consider the uses allowed in the district, and not the use that the current landowner may or may not make of the property.

The uses within the two districts are similar (as shown in Table 3.2). However, higher intensity uses within the AG district are required to go through the special use permitting process.

3.2 REGULATED USES TABLE

| REGULATED USES | ZONING | | REGULATED USES | ZONING | | REGULATED USES | ZONING | |
|---|--------|-----|--|--------|-----|---|--------|-----|
| | AG | MHN | | AG | MHN | | AG | MHN |
| Adult Daycare Facilities | | | Kennels | S* | | Small Distilleries | P* | |
| Agricultural Assembly Space | S* | | Livestock Auction Yards | S* | | Small Wineries | P* | |
| Agricultural Processing Facility | P | | Live/Work Units | | | State Licensed Residential Facilities: | | |
| Agricultural Tourism < 5 acres | S* | | Manufactured Homes | | | - Adult Daycare Home | P | P |
| Agricultural Tourism > 5 acres | P* | | Manufactured Home Parks | | | - Adult Foster Care Congregate Facility | | |
| Airports or Airfields | S | | Manufacturing, Light | | | - Adult Foster Care Family Home | P | P |
| Amusement Parks | | | Marinas | | | - Adult Foster Care Small Group Home | | S |
| Assembly Facilities: | | | Medical Marihuana Establishments: | | | - Adult Foster Care Large Group Home | | S |
| - Principal Use | | | - Grower | P* | | - Family Childcare Home | P | P |
| - Accessory Use | P | P | - Processor | P* | | - Group Childcare Home | P | P |
| Assisted Living Facilities | | P | - Provisioning Center | | | - Foster Family Home | P | P |
| Automobile Repairs, Major | | | - Safety Compliance Facility | | | - Foster Family Group Home | P | P |
| Automobile Repairs, Minor | | | - Secure Transporter | | | - Nursing & Convalescent Home | | P |
| Automobile Sales & Rentals | | | Micro Breweries | P* | | - Senior Living Facilities | | P |
| Automobile Service Stations | | | Mixed Use Developments: | | | Support Laboratories | | |
| Bars, Taverns, Lounges | | | -Under 2 Acres | | | Tasting Rooms | P | |
| Breweries | S | | -Over 2 Acres | | | Temporary Lodging Establishments: | | |
| Business Services | | | Multiple Family Dwellings | | P | - Bed & Breakfast Homes | S* | S* |
| Campgrounds | S* | | Open Space Preservation Developments | S** | S** | - Bed & Breakfast Inns | S* | S* |
| Catering Services | | | Outdoor Service (accessory to a principal use) | | | - Tourist Homes | P* | P* |
| Cemeteries | P | | Personal Services | | | - Vacation Homes | P* | |
| Central Cleaning Facilities | | | Personal Wireless Service Facilities | S* | S* | Theaters | | |
| Childcare Centers | | | Professional Services | | | Transportation Equipment Storage | | |
| Community Kitchen | P | | Public or Private Off-Street Parking | | | Transit Stations | | S |
| Computing & Data Processing Centers | | | Public Transit Stops | P | P | Veterinary Services | S | |
| Contractor Retail Establishments | | | Public Uses: | | | Warehousing & Distribution | | |
| Contractor Storage Yards | | | - Critical | P | P | Wineries | S | |
| Cultural Institutions | P | P | - Essential | P | P | Wholesale Activities | | |
| Customary Agricultural Operations | P | P* | - Supporting | P | P | Wind Energy Generation Systems | | |
| Distilleries | S | | Recreational Facilities | | | - On-Site Use Systems < 66 Feet Tall | P* | P* |
| Domestic Pet Services | P | | Recycling Collection Stations | P | P | - On-Site Use Systems > 66 Feet Tall | S* | S* |
| Drive-In or Drive-Through Services | | | Recycling Facilities | | | - Utility Grid Systems | S* | |
| Dwelling Units Above 1st Floor Commercial | | | Religious Institutions | S* | S* | | | |
| Educational Institutions | P | P | Research & Development Centers | | | | | |
| Equestrian Arena, Commercial | S* | | Restaurants | | | | | |
| Equipment Rental Establishments | | | Retail Establishments: | | | | | |
| Extractive Industries | S* | S* | - Department | | | | | |
| Farm Markets | S | | - Food & Beverage | | | | | |
| Financial Services | | | - General | | | | | |
| Food Production | | | - Products Produced On-Site | | | | | |
| For-Profit Educational Institutions | | | Riding Stables | S* | | | | |
| Freight Terminals | | | Private Clubs & Fraternal Organizations | | | | | |
| Golf Facilities | S* | | Self-Storage Facilities | | | | | |
| Greenhouses & Nurseries | | | Sexually Oriented Businesses | | | | | |
| Health Care Services & Clinics | | | Single Family Detached Dwellings | P | P | | | |
| Home Occupations | P* | P* | Solar Energy Farms | S* | | | | |
| Hospitals | | | | | | | | |
| Hotels, Less Than 120 Rooms | | | | | | | | |
| Hotels, More Than 120 Rooms | | | | | | | | |
| Industrial Parks (as a planned development) | | | | | | | | |

P: Permitted Use S: Special Use *: Use Standards

As stated, this parcel is also directly south of wetlands and a branch of Yuba Creek. Any change in use or additional development would be subject to Planning Commission/Administrative review and approval to further ensure protection of any environmentally sensitive features (unless permitted under right to farm or meets the following).

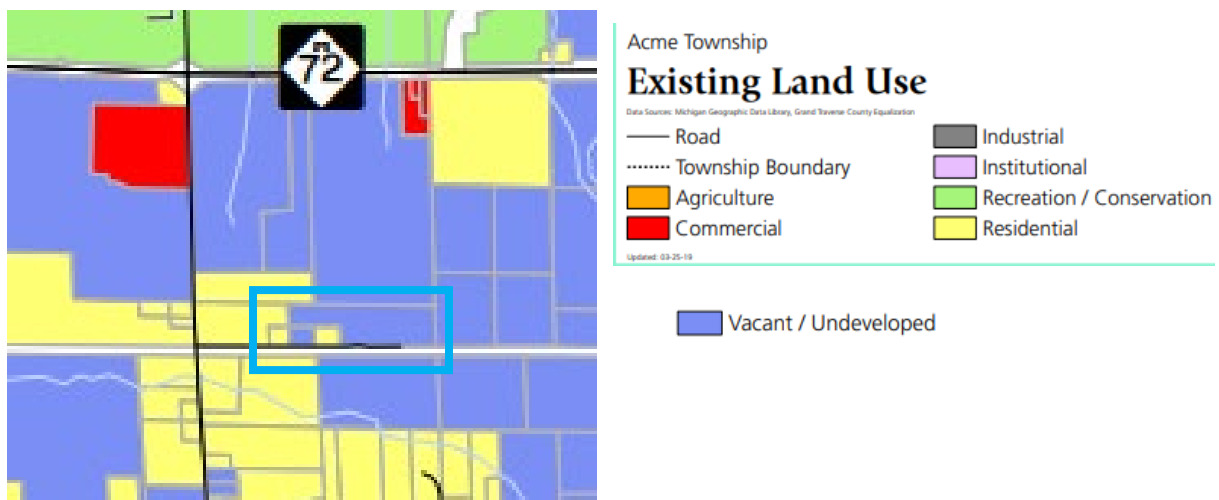
Further, for any development would be subject to site plan review unless it meets the following:

8.2.2 Site Plan Not Required Site plan approval is not required for the following activities, however, payment of any or all applicable bonds is required for issuance of a land use permit.

- A. Construction, moving, relocating or structurally altering a principal residential structure in the AG, SFR, SFN, MHN, RMH and CS districts, including any customarily incidental accessory structures.
- B. Excavating, filling, or otherwise removing soil, provided that such activity is normally and customarily incidental to single family uses described in this subsection for which site plan approval is not required.
- C. A change in the ownership of land or a structure.
- D. A change in the use of a structure to a use allowed by right in the zoning district in which it is located, provided that no modification to the site is proposed or required by the standards of this Ordinance and that the site maintains full and continuing compliance with these regulations.
- E. Permitted home occupations.

3. Compatibility of all the potential uses allowed in the proposed district(s) with surrounding uses and zoning in terms of suitability, intensity, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

The Existing Land Use Map from the Acme Township Master Plan illustrates the current uses that surround the property. The current designation for this parcel is not correct, as it is listed as vacant/undeveloped. There are currently hangers that occupy the site and an active airfield recognized by the FAA. The other parcels reflect the current land use(s).



To further develop this property for airfield/airport services (addition of hangers, club house, etc.) the subject parcel would be required to go through the special use permitting process. Through this process suitability, intensity, traffic impact, etc. would be further addressed to limit any potential negative impacts on property value. The applicant stated at the previous meeting that the airfield is seasonal and generates about 3-4 cars on the weekend(s).

Please note the items listed in criteria #2 also apply.

4. Capacity of available utilities and public services to accommodate the uses permitted in the district(s) without compromising the health, safety, and welfare of Township residents or burdening the Township or Grand Traverse County with unplanned capital improvement costs or other unplanned public expenses.

The current request is low impact in nature and would not require any significant additions or changes.

There are no water and sewer services to this parcel that would support high density development as it is currently zoned MHN (12 dwelling units per acre). Agency approvals would be required for any that triggers a special use/site plan review to further ensure the protection of health, safety, and welfare.

5. Capability of the road system to safely and efficiently accommodate the expected traffic generated by uses permitted in the zoning district(s).

The subject property currently has an easement that accesses the parcel from Lautner Road. Any future land division and development would require approval from the GTC Road Commission as the parcel accesses from a county road.

6. The apparent demand for the types of uses permitted in the district(s) in relation to the amount of land currently zoned and available in the Township and surrounding communities to accommodate the demand.

Prior discussions have occurred about expanding the LIW District due to the limited number of undeveloped parcels in the district and the interest expressed by parties wishing to establish businesses of light industrial character, but without available options.

There has not been any recent discussion on the incorporation of more agricultural land. The AG district is the only district where this type of use is allowed in the Township.

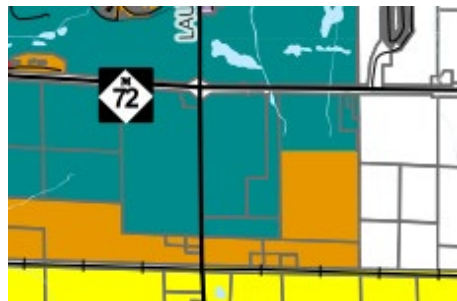
7. The boundaries of the proposed district(s) in relationship to the surrounding area and the scale of future development on the site.

This seems misleading as it implies that we know exactly what development will be taking place on the site. As stated in #2: The current owner wishes to utilize the property for the existing and active Acme Skyport – a new owner may decide to have a completely different use (ex: Kennels, Livestock Auction Yard). It is important to consider all the uses this will open in the district, as one will have a different impact than the other (health, safety, welfare).

The rezoning request would be adjacent to other AG designated parcels to the east. The scale of intensity from future development would be less than those uses allowed within the current zoning of MHN and Corridor Flex Zoning District to the north and west.

8. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

The rezoning request would be adjacent to other AG designated parcels to the east and would not create a spot-zoning scenario. There is a dual zoned parcel to the north that encompasses around 40 acres of MHN land (as noted this parcel contains wetlands and may be worth exploring rezoning it to its previous zoning designation of AG in the future).



9. Other factors deemed appropriate by the Planning Commission and Township Board.

Whether the current zoning was a mistake and whether the surrounding area has been changed to an extent that the current zoning no longer makes sense.

Items to Consider:

- This parcel was previously zoned AG prior to the current July 31, 2022, adoption.
- This parcel is over 13 acres in size and meets the 5-acre minimum for the AG District.
- It has historically been used for airfield purposes – formerly owned by Louis Griffith.
- This would bring the current use from a legal nonconforming to a conforming use in the district. Any addition to the property that serves the airfield would require the applicant to come before the Planning Commission and Township Board for approval under a special use permit.
- The AG district is the only district where this type of use is allowed in the Township. The Township does not have the authority to grant use variances.
- There is no water and sewer within proximity to this parcel that would accommodate high density housing.

Suggested Motion(s) for Consideration:

Motion to Recommend Approval

I move that the Planning Commission send proposed Zoning Ordinance Amendment 004 to rezone approximately 13.99 acres from MHN: Mixed Housing Neighborhood to AG: Agricultural for the property located at located at 5400 Lautner Road, Parcel ID 28-01-101-015-00, owned by Eric Nuffer.

Or

Motion to Recommend Denial

I move that the Planning Commission recommend denial of proposed Zoning Ordinance Amendment 004 to rezone approximately 13.99 acres from MHN: Mixed Housing Neighborhood to AG: Agricultural for the property located at located at 5400 Lautner Road, Parcel ID 28-01-101-015-00, owned by Eric Nuffer, to the Township Board as it does not meet the requirements:

List any of those that apply:

Date: 12.06.2023
From: Sara Kopriva, AICP
To: Acme Township Planning Commission

Project: Accessory Dwelling Units



Attached is revised language based on the conversation that occurred at the last Planning Commission meeting related to accessory dwelling units. I have included a marked-up version to see the changes made since November.

Additional conversation is needed around new item 5 about where the unit may be able to be located in keeping with the theme that this unit would be for a family member vs. a rental unit. Please think about if ADUs should be allowed as all types of dwelling units for the meeting.

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

734.663.2622 ph
734.663.6759 fx

www.bria2.com

Petoskey Office
113 Howard Street
Petoskey, MI 49770

231.347.2523 ph
231.347.2524 fx

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

231.933.8400 ph
231.944.1709 fx

Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR
ACME TOWNSHIP

THE TOWNSHIP OF ACME ORDAINS:

1. Amend Article 14 Section 14.2 "A" to add the following:

ACCESSORY DWELLING UNIT - ~~Accessory dwelling units (ADU's) are intended to provide flexible housing options in the Township by allowing homeowners to establish a second dwelling unit on their property.~~ A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling, either within the same building as the single family dwelling unit or in a detached building.

2. Amend Article 14 Section 14.14 "M" to add the following:

MOBILE HOME - A structure that is transportable in 1 or more sections, built on a chassis, and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure (Act 96 of 1987; MCL 125.2302 (h)).

3. Amend Article 3 Section 3.2 Regulated Uses Table to add the following:

| Regulated Uses | AG | SFR | SFN | MHN | RMH | CS | C | CF | LIW |
|--------------------------|----------|----------|----------|----------|----------|----------|---|----|-----|
| Accessory Dwelling Units | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | | |

3.4. Amend Article 5 to add Section 5.34 Accessory Dwelling Unit(s)

5.34 Accessory Dwelling Unit (ADU)

5.34.1 Intent & Purpose

Accessory dwelling units (ADU's) are intended to provide flexible housing options for families while not increasing the density in the Township by allowing homeowners to establish a second dwelling unit on their property.

5.34.2 General Standards

A. ADU's are subject to the following standards:

~~1. ADU's shall be limited to permitted districts and properties that have municipal sewer or the ability to connect to municipal sewer.~~

~~2. ADU's shall be limited to permitted districts and properties where single-family dwelling units are the principal use.~~

~~3.1.~~ ADU's shall comply with the setbacks of the zoning district.

~~4.2.~~ ADU's shall be an accessory use and subordinate to the conforming single-

48 family dwelling unit.

49
50 ~~5.3.~~ The owner of the property shall live on site, either in the principal dwelling
51 unit or the accessory dwelling unit.

52
53 ~~6.4.~~ ADU's shall have their own separate entrance, kitchen, sleeping area, and full
54 bathroom facilities.

55
56 ~~7.5.~~ ADU's may be attached to a single-family dwelling unit and may occupy a
57 basement, first floor or second floor of the principal dwelling or may occupy
58 a separate, detached accessory building in the rear of the principal dwelling
59 unit.

60
61 ~~8.6.~~ All ADU's shall meet applicable building and fire codes.

62
63 ~~9.7.~~ Building materials and designs used on detached ADUs or additions to the
64 principal dwelling for an attached ADU shall be of a similar architectural style
65 as that of the principal dwelling.

66
67 ~~10.8.~~ The minimum size of the ADU shall be three hundred and fifty (350) square
68 feet.

69
70 ~~11.9.~~ The maximum size shall not exceed ~~nine hundred and fifty (950)~~ six hundred
71 (600) square feet, or the size of the principal dwelling unit, whichever is less.

72
73 ~~12.10.~~ _____ Manufactured homes or mobile homes shall not be used as an ADU.

74
75 ~~13.11.~~ _____ An ADU or primary dwelling shall not be used as a Short-Term Rental
76 or a tourist home.

77
78 ~~14.12.~~ _____ The term for tenancy of the ADU shall be for a period of six (6)
79 months or more.

80
81 ~~15.13.~~ _____ A detached ADU ~~built on property served by public water and/or~~
82 ~~public sanitary~~ shall be have separately metered metered for utilities.

83
84 ~~14.~~ Parking for the ADU shall be provided on the same property as the principal
85 use and include one (1) off-street parking space per ADU.

86
87 ~~16.15.~~ _____ Health Department approval is required when on well or septic
88 before a land use permit can be issued.

89
90 **4.5. Severability**

91
92 If any article, Section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be
93 invalid or unconstitutional by any court of competent jurisdiction, the Township intends said portion
94 to be disregarded, reduced and/or revised so as to be recognized to the fullest extent possible by law.
95 The Township further states that it would have passed and adopted what remains of this Ordinance
96 following the removal, reduction or revision of any portion so found to be invalid or unconstitutional.

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5.6. Enactment and Effective Date.

The Board of Trustees hereby determines this amendment to be immediately necessary for the interest of the Township. Consistent with the Michigan Zoning Enabling Act, it becomes effective 7 days after publication.

Adopted, enacted, and ordained by the Acme Township Board of Trustees this ___ day of _____, 2023.

Doug White
Its Supervisor

Lisa Swanson
Its Clerk



Planning and Zoning Staff Memo

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission
From: Lindsey Wolf, Planning & Zoning Administrator
Date: November 7, 2023
Re: 5 Year Master Plan Update

Michigan Planning Enabling Act: 25.3845 Extension, addition, revision, or other amendment to master plan; adoption; procedures; review and findings.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission. History: 2008, Act 33, Eff. Sept. 1, 2008.

The current plan was adopted in 2019 which requires it to be reviewed in 2024. Provided in this packet is a Master Plan Update Guide from the Michigan Economic Development Corporation. Please use this document as a guide as we begin our discussions on the current state of the Acme Township Master Plan; the Planning Commission will need to consider whether the plan needs an overhaul (major revisions), or a refresh (minor changes). Staff is in the process of conducting an internal review and will provide feedback during the next regularly scheduled Planning Commission meeting.

MASTER PLAN UPDATE GUIDE



A Redevelopment Ready Communities® tool
for Michigan communities looking to establish
or update a master plan



INTRODUCTION

Redevelopment Ready Communities® Best Practice 1.1 evaluates community planning and how a community's development vision is embedded in the master plan and other related plans such as the capital improvements plan, downtown plan and corridor plan. Comprehensive planning documents are a community's guiding framework for growth and investment. The RRC program, based on state legislation and best practices, requires that the master plan is up to date and reflects a community's desired direction for the future. Michigan law requires that an adopted plan be reviewed at least every five years. This guide was prepared to help communities determine whether a comprehensive plan needs to be updated based on MPEA and RRC requirements and how to review the plan for potential updates. In addition, the RRC best practices require an annual review to keep implementation moving forward. This review could include a report to the local legislative body on implementation progress and future goals and offers a chance to refresh officials and inform new members about the plan and its components.

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UPDATE GUIDE

RRC Master Plan

Redevelopment Ready Communities® (RRC) supplements Michigan legislation in this guide with recommendations on the master plan review and update to help streamline the process, create better plans, and support better implementation of plans. The Michigan Planning Enabling Act (MPEA) outlines requirements while the RRC program provides recommendations. Meeting the RRC best practice criteria is required in order for a community to become RRC certified. Contact the RRC team or your municipal attorney should there be any confusion on what is required by law and what is required to meet the RRC best practices. Beyond meeting state requirements, updating your community master plan is important for maintaining a community vision that municipal staff and officials can reference during decision-making. Taking a regular look at the master plan can keep staff, officials, and the community on-track for implementation.

ANNUAL REVIEW AND REPORT

- Annual review
- Annual report
- Report to elected body
- Joint meeting

MPEA

The Michigan Planning Enabling Act (Act 33 of 2008; MPEA) provides the legal basis for the master plan. The act outlines requirements for the preparation, content, public review, adoption and regular review of the plan. Key objectives of a plan as outlined in the act include:

- Create a plan that guides development that is coordinated, adjusted, harmonious, efficient, and economical and that best promotes public health, safety and general welfare;
- Make careful and comprehensive studies of present conditions and future growth with due regard for its relation to neighboring jurisdictions;
- Consult and cooperate with representatives of adjacent local units of government, departments of state and federal governments;
- Address land use and infrastructure issues and make recommendations for physical development;
- At least every five years, review the plan to determine whether to amend or readopt the current plan or adopt a new master plan;

The act also outlines requirements for the process of amending an adopted plan or adopting a new plan.

RRC

An updated master plan is essential to articulating the types of development the community desires and the specific areas where the community will concentrate resources. RRC evaluates a plan based on the following:

- The governing body has adopted (or re-adopted) a master plan in the past five years.
- It reflects the community's desired direction for the future.
- It identifies strategies for priority redevelopment areas.
- It addresses land use and infrastructure, including complete streets elements.
- It includes a zoning plan.
- It incorporates recommendations for implementation, including goals, actions, timelines and responsible parties.
- Progress on the master plan is annually reported to the governing body.
- It is accessible online.

UPDATE GUIDE

RRC Master Plan

Annual review and report

Communities should *review* their plan annually to ensure staff and elected and appointed officials have an understanding of their planning documents. This background information can help orient new officials and lead to more consistent and supported decision-making. While the planning act requires review at least every five years, communities should annually consider discussion about the plan, conducting a review of progress made, implementation made the previous year, and priorities for the upcoming year. Also if there is an annual update to the capital improvement plan (CIP), relevant master plan recommendations should be reviewed and promoted to the CIP preparers.

The following should be reviewed by staff and the planning commission:

- ✓ Review goals and major recommendations.
 - Accomplished*
 - Still relevant*
 - High priority of the year*

Create a chart to assist in the review of goals and recommendations:
GOAL : PROGRESS : PRIORITY

- ✓ Review action table and progress toward completing this year's priorities. Some actions may need to be broken down into more manageable subtasks, or next steps, with responsibilities assigned to different staff or departments.
 - Accomplished*
 - Still relevant*
 - Task for upcoming year*
 - Task for future year*

Does your plan have an action table? If not, create one using any actions provided for each goal and recommendation. Make sure to provide the department or person responsible for completing the task.

Next steps _____

Responsibility _____

- ✓ Review prior year's rezonings and development decisions. Discuss if there are any trends that need to be addressed.

Examples: 1. Map rezonings to see if they are located in similar areas and follow the plan's future land use; 2. Discuss any development proposals where the plan did not provide enough direction to assist in a decision or if the plan did not provide enough flexibility to welcome an opportunity.
- ✓ Identify any potential plan amendments to work on for the upcoming year that can be prepared and adopted then incorporated at a later date when the master plan is updated. This could include:

Subarea plans, studies prepared that need to be incorporated in the plan, or planning topics that need to be added or refreshed such as complete streets or placemaking.
- ✓ Identify any zoning ordinance updates to undertake in the coming year.
- ✓ Review the update checklist at the end of this guide to decide whether the plan needs to be "opened up" and officially updated.

UPDATE GUIDE

RRC Master Plan

Annual review and report *continued*

This review could be documented as part of the annual report that is required by the MPEA Section 125.3819 so that once the five-year period is over, the interim years' activities can be summarized when deciding whether the plan needs to be amended. This annual report is intended to be presented to the legislative body and should include the following:

- ✓ Membership
- ✓ Number of planning commission meetings
- ✓ Master plan implementation
- ✓ Zoning ordinance map and text amendments
- ✓ Major development reviews (including a brief description, whether it was approved and date of action)
- ✓ Priorities for upcoming year

Communities have found success in having an *annual joint meeting* of the governing body and planning commission to summarize the year's accomplishments and set priorities for the next year. Some communities also include their DDA, ZBA, and other applicable boards and committees. Topics of discussion may include:

- ✓ Refresh officials on what a master plan is and what the adopted plan entails.
- ✓ Recap development, projects and progress made in the previous year.
- ✓ Summarize actions that were completed in the past year and the upcoming year's action priorities.
- ✓ Incorporate a presentation on a hot topic (complete streets, RRC, form-based code).

UPDATE REVIEW TABLE

RRC Master Plan

Use the table below to help consider whether your plan needs an overhaul, a refresh, or to add or replace sections of the plan. A refresh is for those that just require minor changes throughout the plan. Section additions or replacements may include new chapters, subareas, the future land use map and/or text, implementation steps, and/or RRC components. The first section of the checklist can be used as a checklist for the annual review and report as described above.

| Annual | 5-year | CRITERIA | Yes | No | COMMENTS/DOCUMENTATION/LINKS |
|--------|--------|--|--------------------------|--------------------------|------------------------------|
| ✓ | ✓ | Have development patterns changed significantly since the plan was written and adopted? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Does the adopted zoning ordinance align with the goals of the plan? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Have there been any major changes, such as utility lines, major road improvements, large development approvals, etc? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Have there been instances when the planning commission or elected body has departed from the plan? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Are the goals and priorities of the plan in sync with the goals and priorities of appointed and elected officials? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Does the plan address the location and types of land uses frequently requested? | <input type="checkbox"/> | <input type="checkbox"/> | |
| ✓ | ✓ | Have there been other studies completed that change the relevancy of the plan? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Have community goals or vision changed since the plan was written? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Are recent best practices integrated? (i.e. Complete Streets, Placemaking, Sustainability, Missing Middle Housing, Local Food) | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Is the background data relevant and reference the most recent decennial census data and up-to-date local data? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Is it user-friendly with clear organization and graphics? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Does it reference goals and objectives for a downtown area? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Is there an implementation plan including a CIP plan? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Are a zoning plan and zoning objectives included? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Is a redevelopment strategy provided? | <input type="checkbox"/> | <input type="checkbox"/> | |

UPDATE REVIEW TABLE

RRC Master Plan

| Annual | 5-year | CRITERIA | Yes | No | COMMENTS/DOCUMENTATION/LINKS |
|--------|--------|---|--------------------------|--------------------------|------------------------------|
| | ✓ | Are priority sites for redevelopment and a strategy for implementation included? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Have there been changes along the community borders? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Is there upcoming major (re)development (corridor, transportation, university/hospital, utility, vacated sites, or industrial)? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Do policy and recommendations support a safe, efficient multi-modal transportation system? | <input type="checkbox"/> | <input type="checkbox"/> | |
| | ✓ | Do permitted uses support the job market and reflect the local talent pool? | <input type="checkbox"/> | <input type="checkbox"/> | |

REVIEW AND UPDATE PROCESS

Five-year Master Plan

One provision of the MPEA requires the planning commission to review its current plan at least every five years. At that review, it should be determined whether any amendments are needed or whether the process for a new plan should be started. The act does not require that the entire “coordinated planning” process be followed simply for a review of the plan. No notifications need be made to conduct the review. Instead, the planning commission need only conduct the review and document that fact through the minutes of the review meeting.

Although the five-year review requirement may be considered perfunctory, a necessary “fill in the blank” action, communities should take advantage of this opportunity to thoroughly review the plan and make sure it is still relevant to today’s conditions. A table is provided below to assist in the decision of whether to proceed with an amendment or a complete overhaul. Generally, the goals, objectives and future land use plan should be carefully reviewed to contrast with current development trends as well as any major changes or diversions from the plan that have taken place in order to consider whether the plan needs to be updated.

If, after the review is conducted it is decided that changes are indeed necessary—the process outlined by the planning act must be carefully followed. It may be a good idea to have a joint meeting, public or stakeholder workshops to review the current plan and discuss the level of change needed. If the plan needs an “overhaul,” the process will require a 63-day review period. An update, or “refresh,” requires a 42-day review period. An update is appropriate if most of the plan assumptions and recommendations are still valid and only minor updates or additions are required. Once the plan is updated and adopted, it should be posted on the internet to make it accessible to all online.

CONSIDERATIONS WHEN UPDATING YOUR PLAN

- A plan is a balance between technical evaluation and public preferences; between fiscal realities and bold ideas.
- Does your plan consider and integrate the current attitudes of the residents and business interests?
- For more information on how best to include public participation as part of your plan update, see the RRC’s public participation guide.
- Keep in mind how the plan will influence the zoning ordinance and other regulations.
- Who has jurisdiction over capital improvements? RRC encourages collaboration across departments in preparing the CIP so make sure to fully engage the engineering or public works department in the planning process.
- Updating census data alone is not reason to open up your plan for an amendment. When updating your plan, think about what data will be most important in influencing planning decisions. Only include data that are applicable to understanding the planning context and recommendations.



Acme Township

6042 Acme Road | Williamsburg, MI | 49690

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ACME TOWNSHIP PLANNING COMMISSION

2024 Meeting Dates
Adopted: December 11, 2023

January 8
February 12
March 11
April 8
May 13
June 10
July 8
August 12
September 9
October 14
November 11
December 9

The Acme Township Planning Commission normally holds its regular meetings on the second Monday of the month at 7:00 p.m. at the Acme Township Hall.

Other Special Meetings will be posted separately as required.

*** Denotes meeting date changed due to a holiday, election or other schedule conflict.

If you are planning to attend and require any special assistance, please notify Lisa Swanson, Township Clerk, within 24 hours of the meeting at (231) 938-1350 or lswanson@acmetownship.org

For planning and zoning questions please contact Lindsey Wolf, Planning and Zoning Administrator, at (231) 938-1350 or zoning@acmetownship.org