

## **Chapter 7: LOCAL PLANS AND REGULATIONS**

### **Local Master Plans**

In planning for the future of Edwards Township, it is important to consider the plans of adjacent areas. The development of adjacent municipalities will impact Edwards Township, and vice versa.

Although implementing zoning since 1971, Ogemaw County currently lacks “comprehensive” or master plan but plan to begin assembling a county plan utilizing recent and ongoing research and surveys. This Edwards Township Master Plan was prepared and adopted pursuant to the Michigan Township Planning Act, P.A. 168 of 1959, as amended, [MCL 125.321, *et seq.*]. Edwards Township also undertakes its own zoning in accordance with the Michigan Township Zoning Act, P.A. 184 of 1943 [MCL 125.271, *et seq.*].

Of all its neighboring townships, Edwards Township is recognized as a regional leader in the implementation of zoning and other local measures to protect property values, natural resources, and the public health, safety and general welfare. Edwards Township abuts Ogemaw Township along its northern boundary; Horton Township to the east; West Branch Township to the northeast; Roscommon County’s Nester Township to the west; and Gladwin County’s Clement and Bourret Townships to the south.

The following is a review of the planning and/or zoning in place within these neighboring jurisdictions to examine similarities and differences, especially along Edwards Township’s boundaries, and to explore opportunities for increased coordination and cooperation between adjoining jurisdictions facing similar land use challenges and visions for the future.

### **Ogemaw County Planning Survey**

A 2000 Land Use Survey of Ogemaw County Landowners undertaken by Michigan State University Extension and the Ogemaw County Economic Development Corporation suggests strong public interest in county planning to manage future growth. Respondents perceived the loss of forest and farmlands, the overdevelopment of lake shores and river fronts, reduced surface and groundwater quality, and the general loss of open space primarily from residential development were as significant challenges facing the County today and in the future.

## Summary of Plans and Regulations

Within Ogemaw County, Ogemaw Township is located directly north and Horton Township is located directly east of Edwards Township. Both of these communities are currently zoned by Ogemaw County.<sup>1</sup> The areas along Ogemaw and Horton Township's boundaries with Edwards Township are entirely designated by County zoning as Agricultural/Rural Preservation. This zoning category is designed to preserve "the essential characteristics and economic value of ... agricultural and open lands."<sup>2</sup> This district is also intended to accommodate agriculture, single family dwellings, public parks and other recreational uses (except campgrounds), family day care homes, accessory buildings, home occupations, roadside stands, and greenhouses/nurseries as uses by right. Special land uses within the Agricultural/Rural Preservation District requiring additional review for approval include intensive livestock operations; country clubs, golf courses, riding stables, and gun clubs; commercial mineral extraction; public or private campgrounds; group day care; junk or salvage yards; K-12 schools; churches; kennels and veterinary clinics; fur bearing animal and game bird rearing; bed and breakfasts; cemeteries; public or private boat launches; radio, television, or telephone transmission towers; one detached single family home for relatives of parent parcel farm dwelling; mini storage facilities; Planned Unit Developments; municipal buildings; airports, airfields and runways; and contactor storage buildings. Allowable density within this district is one dwelling unit per acre. U.S. Interstate Highway 75 (I-75) cuts through both Ogemaw and Horton Townships, within a few miles of each Township's border with Edwards Township. A small area within Ogemaw Township at Edwards township's northeastern border is zones as Low Density Residential, with an allowable maximum density of one dwelling unit per 10,000 square feet if served by municipal water and sewer, and one unit per 20,000 square feet if on private water wells and septic systems.

West Branch Township is located directly northeast of Edward Township within Ogemaw County. West Branch Township currently undertakes its planning and zoning. The *West Branch Township Master Plan for Land Use*<sup>3</sup> and Ogemaw County zoning designate the area immediately northeast of Edwards Township as Low Density Residential, with an allowable maximum density of one dwelling unit per 10,000 square feet if served by municipal water and sewer, and one unit per 20,000 square feet if on private water wells and septic systems. An area along M-30 Highway within West Branch Township, just

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<sup>1</sup> Ogemaw County Zoning Ordinance, July 1997, Revised April 1999, Revised February 2001, Revised March 2002, and Revised January 2003, and May 1997 Ogemaw County, Michigan Zoning Map.

<sup>2</sup> *Ibid.*, p. 60.

<sup>3</sup> *West Branch Township Master Plan for Land Use*, Goals Objectives for Growth Management, October 2003.

south of the City of West Branch and slightly north of Edwards Township and immediately north of I-75, is currently zoned as General or Local Business. These business districts allow a wide variety of retail and merchandise; food service; professional and personal services; health, fitness, and medical facilities, banking, and public buildings as uses by right. Drive-thru establishments, mortuaries, vehicle service and washing, motels, commercial recreation (e.g., mini-golf, driving ranges, bowling, theaters, etc.), Planned Unit Developments, open air business, veterinary facilities; mini storage, and assembly buildings (e.g., dance halls, auditoriums, churches, and private clubs) are special land uses within these districts. This area also represents the closest existing commercial area to Edwards Township.

Gladwin County's Clement Township is located directly to the south of Edwards Township and along its southwestern boundary with Gladwin County. Clement Township's September 2002 Zoning Ordinance has zoned the four miles it shares along its boundary with Edwards Township as State-owned; A-1 Agricultural; or R-1 Residential. The R-1 portion of Clement Township along this boundary exists within Section 1 along M-30 Highway, and west of Raymond Road. Principal uses allowed within Clement Township's R-1 District include single-family dwellings; governmental and administration buildings; schools; public medical and health facilities; recreational and social facilities; religious institutions; and cemeteries. Various accessory uses allowed within the R-1 District include private garages and carports; private swimming pools; playground equipments; recreational clubhouses; accommodations for not more than two (2) boarders or renters; home occupations; off-street parking, etc. Special land uses within Clement Township's R-1 District include retail sales establishments; personal services establishments; hotels or motels; clubs or lodges; rooming houses; elder housing; mobile home parks; travel trailer parks and campgrounds; public utilities without storage yards; clinics; convalescent homes; and private or public riding stables. Minimum allowable density within Clement Township's R-1 District vary by principal use as follows: single-family dwellings (i.e., 18,000 square feet); governmental and administration buildings (i.e., 5 acres); schools (i.e., 10 acres); public medical and health facilities (5 acres); recreational and social facilities (i.e., 5 acres); religious institutions (i.e., 5 acres); and cemeteries (i.e., 10 acres). The A-1 Agricultural portion of Clement Township along its boundary with Edwards Township exists within Sections 1 through 4, and east of Elk Lake and along M-30 Highway. Principal uses allowed within Clement Township's A-1 District include general farming; single-family dwellings; livestock farms; kennels and public or private riding stables; cemeteries; recreational areas; timber and tree products; religious institutions; schools; and governmental administrative buildings. Accessory uses and structures within the A-1 District include private garages and carports; farm buildings; road-side stands and displays; club houses; outside recreational vehicle storage; home occupations; required parking; etc. Special land uses within the Clement R-1 District include retail sales establishments; personal services establishments; hotels or motels; clubs or lodges; rooming houses; mobile home parks; travel trailer parks and campgrounds; sanitary landfills (Township operated only); public

utilities without storage yards; and radio or television stations with or without storage yards. Minimum allowable density within Clement Township's A-1 District is 5 acres, except for timber and tree products production which has not minimum or maximum lot area requirements. Clement Township does not zone areas of State-owned forestland within its boundaries, including portions along its western boundary with Edwards Township west of Elk Lake.

Bourret Township within Gladwin County is located directly to the south of Edwards Township. Bourret Township relies upon Gladwin County zoning; however Gladwin County currently lacks an updated "comprehensive" or master plan.<sup>4</sup> The portion of Bourret Township bordering Edwards Township is currently zoned as Residential and Farming, with the exception of the western one-half of Section 5 along M-30 Highway which is zoned as Business District. The Gladwin County Residential and Farming District purpose is to protect agriculture as balanced with future residential development and avoid potential conflict or incompatibility between these uses. Uses by right include agriculture; detached single family dwellings; public parks and playgrounds; roadside stands; family day care; home occupations, accessory buildings; and seasonal businesses offering agricultural products. Special land uses within the Residential and Farming District include public or private community facilities (schools, churches, nursing homes, hospitals and health care facilities, cemeteries, libraries, etc.); open lands and waters (golf courses, race tracks, and outdoor recreation and exercise); multiple family dwellings; site condominiums and planned unit developments; riding stables; and group day care. Minimum allowable density within Gladwin County's Residential and Farming District is one unit per acre with a minimum 100 foot public or private road frontage.

Nester Township is located immediately west of Edwards Township within Roscommon County. The *Nester Township Land Use Master Plan*<sup>5</sup> dated August 1983, indicates that its land base directly west of Edwards Township is primarily in forest and grassland with two lakes, and numerous streams to be managed for outdoor recreation and forest preservation. The Plan calls for the regulation of this area along Edwards Township as Conservation and Recreation "to preserve certain lands in their natural undeveloped ... condition (*sic*)...with a suggest lot area of 5 acres...The township should cooperate with the Department of Natural Resources to improve and expand this forest and lake recreation."<sup>6</sup> According to the Nester Township Zoning Ordinance (undated), the portion of Nester Township bordering Edwards Township is currently zoned as Rural/State Forest. The stated purpose of Nester Township's Rural/State Forest District is to preserve large tracts for recreation, agriculture, low density housing, and other uses requiring large

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<sup>4</sup> *Gladwin County Zoning Ordinance* adopted October 10, 1995, effective April 22, 1996 and passed by the voters of Gladwin County on August 4, 1998.

<sup>5</sup> *Nester Township, Roscommon County, Land Use Master Plan, August 1983.*

<sup>6</sup> *Ibid.*, p. 31.

blocks of land. Uses by right within this district include any use within the R-1 zone; public schools; parks, playgrounds, community centers; home occupations; hospitals; nursing homes; agriculture; roadside and farm stands; forestry; public and private recreational facilities and parks; public and private campgrounds; cabins; and kennels. Special land uses within the Rural/State Forest District include airports; sanitary landfills; cemeteries; snowmobile or motorcycle tracks; and junk yards. Minimum allowable density within the Nester Township Rural/State Forest District is one unit per one acre (43,560 square feet), with a minimum 150 foot lot width and 1 to 3 width to depth lot ratio.

The *Roscommon County Master Plan for 2001*<sup>7</sup> summarizes demographics, natural resources, and trends related to economic, tourism, recreation, health/safety/education/welfare, housing, and transportation conditions within Roscommon County. The Master Plan does not designate future land uses, and Roscommon County is entirely zoned at the township level.<sup>8</sup>

### **Ogemaw County Recreation Plan**

On December 10, 2003 the Ogemaw Board of Commissioners approved and adopted the *County of Ogemaw 2004-2008: Recreation Master Plan*. On January 5, 2004, the Michigan Department of Natural Resources approved the *Ogemaw County Recreation Master Plan* developed by the County Parks and Recreation Commission with the assistance of Michigan State University Extension.<sup>9</sup> This plan inventoried recreation resources, public lands, and facilities owned and/or operated by Ogemaw County. Importantly, the Plan identifies existing opportunities and recommends actions to enhance County-owned recreation resources only. A prior county-wide recreation plan covering recreational facilities owned and operated by Townships, City of West Branch and other municipalities expired in 2003. The Plan identifies Lake George Campground within Edwards Township as recreational asset, but does not recommend future projects or funds for recreational resource development or enhancement within Edwards Township. A five-year capital improvements schedule and budget is provided within the Recreation Master Plan. The Recreation Master Plan is acknowledged by the Edwards Township Board and Planning Commission by this reference.

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<sup>7</sup> *Roscommon County Master Plan for 2001*, Roscommon County Planning Commission.

<sup>8</sup> Michigan Municipalities with a Zoning Ordinance, 2003, *Planning and Zoning News*, December 2003, p. 17.

<sup>9</sup> *County of Ogemaw: Recreation Master Plan: 2003-2008*, Ogemaw County Recreation Master Plan, adopted December 10, 2003 by the Ogemaw County Board of Commissioners.

## Zoning Regulations

Land use within Edwards Township is regulated under Edwards Township's 1994 Zoning Ordinance.<sup>10</sup> The residential zoning district (R-1), comprising less than 1% of the Township's land base, seeks to guide future residential development within areas that have historically developed with small lots and road frontages. The R-1 zoning district is intended for single-family residential uses; state licensed family care facilities; day care homes; home occupations; schools, churches, parks, libraries, playgrounds, and community center buildings; single family site condominiums; and accessory buildings. High density Residential District exists along the east side of M-30 Highway south of Lehman Road. The Neighborhood Commercial (NC) zone is intended to accommodate office, personal services and commercial services to residents and visitors, including auto-related uses usually incompatible with the character of Residential Districts. Permitted uses include: medical/dental offices and clinics; banks and other financial institutions; personal services establishments; retail stores; drug stores and pharmacies; restaurants; private clubs and halls; dry cleaners; commercial child care facilities; veterinary hospitals and clinics; utility and public service buildings; and accessory buildings. Neighborhood Commercial district exists at the southeast corner of Lake George within Sections 13 and 24 within the Township. There are three Commercially zones located at: 1) the northeast corner of Lehman Road and M-30 Highway, 2) at the northeast corner of Rau Road and M-30 Highway, and 3) at the northeast corner of Rau and Green Roads. Three Light Industrial (LI) zones currently exist within the Township. LI zones are located at: 1) the northeast corner of Lehman Road and M-30 Highway; 2) a parcel near the northeast corner of Rau Road and M-30 Highway; and 3) a portion of a parcel near the northeast corner of Green and Rau Roads.

Planned unit developments and other subdivisions are located within Edwards Township at: 1) the Frost Lake Woodland condominiums on Little Frost and Frost Lake; 2) West Brook Heights on Frost Lake; 3) Lake George and Springhill subdivisions on Lake George; 4) Deer Track subdivision on Elk Lake; 5) Monica Acres subdivision, northeast of Stillwagon and Lehman Roads; 6) Chatman Green Acres at Windie and Vickie Drives on the east side of Chatman Lake; 7) Chatman Lake Estates at Raymond and Alice Drives on the south and west sides of Chatman Lake; 8) Channel Lake subdivision at Elm Drive on the Lake George channel; 9) Tee Lake subdivision at 5<sup>th</sup> and Patterson Roads on Tee Lake; 10) Perry Creek Estates northeast of Lehman and Stillwagon Roads; 11) the Sunset Hills subdivision on Rau Road east of M-30 Highway; and 12) an assemblage of large lot estates, approximately 10 acres each, on Morris Lake.

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<sup>10</sup>*Edwards Township Zoning Ordinance*, September 1994, Public Hearing November 7, 1994 and Adopted November 14, 1994.

About 97 percent (or 22,350 of 23,040 acres) of Edwards Township is currently zoned Agricultural-Residential (A-R). The AR zoning district is intended for residential and agricultural purposes. Retaining the natural resource base and natural attractiveness that adds to the rural character, and to provide enjoyment of these resources for the community at large are challenges before Edwards Township currently. Highway Commercial (HC) district is intended to accommodate and guide many of the same land uses as the Neighborhood Commercial zoning district,<sup>11</sup> with the addition of permitted uses offices and indoor recreation facilities, excluding bowling alleys, and special land uses hotels & motels; theaters for the general public (i.e., not adult entertainment oriented theaters), or similar; drive-through restaurants; vehicle service stations, excluding body shops; vehicle washes, self-serve or automatic; bowling alleys; and commercial storage warehouses. An HC zone exists at the southeast corner of Greenwood (F-18) and M-30 Highway. See Edwards Township Zoning Map on page 7-6a.

Private road development, junkyard and blight cleanup, waterfront overlay and civil infraction ordinances were enacted by the Edwards Township Board of Trustees.

### **Summary of Findings**

The Edwards Township Master Plan future land use map generally matches well with plans and zoning within surrounding municipalities as they currently exist. The northeastern corner of Edwards Township, although zoned Agricultural-Residential (A-R), exists in relatively close proximity to areas planned for higher density residential and/or auto-related commercial development within nearby Ogemaw and West Branch Townships. Similarly, the western one-half of Section 5 within Gladwin County's Bourret Township, along Edwards Township's border on M-30 Highway, is currently zoned as Business District. This area is also bounded by Edwards Township's A-R zone. Care should be taken within future Edwards Township to gauge trends and ensure compatibility with the future agriculturally-based residential use of both areas within the Township.

As is typical, an ongoing need exists to enhance and build meaningful coordination and opportunities for cooperation with surrounding townships, counties, and Ogemaw County. Of the tools available to Edwards Township to guide future land use within its borders and along its boundaries with other communities, Edwards Township encourages the use of combination of flexible methods including but not limited to voluntary farmland, forestland, and open space conservation.

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<sup>11</sup> Excepting that medical and dental offices and clinics are permitted in Neighborhood Commercial and not permitted in Highway Commercial.