

**CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN**

**RESOLUTION OF THE BOARD OF TRUSTEES TO ESTABLISH
SIDEWALK AND PATHWAY CONSTRUCTION POLICIES**

At a regular meeting of the Board of Trustees for the Charter Township of Union, Isabella County, Michigan held on the twenty-eighth day of August 2024:

WHEREAS, on July 10, 2024, the Board of Trustees adopted a new Sidewalk and Pathway Ordinance No. 24-02 in accordance with the requirements of the Charter Township Act and after review and recommendation by the Planning Commission; and

WHEREAS, Section 4.0 (Construction-Related Policies, Orders, and Assessments) of the new Ordinance No. 24-02 states in part that, *“The Board of Trustees may from time to time adopt or amend by resolution a general policy governing the design, funding, and timing of sidewalk or pathway construction in designated areas of the Township;”* and

WHEREAS, the Planning Commission reviewed the current policy for granting provisional relief from sidewalk construction under certain circumstances, which was adopted in 2018, and determined that updates are warranted.

NOW, THEREFORE, LET IT BE RESOLVED that sidewalk and pathway construction policies are established to guide implementation of the Sidewalk and Pathway Ordinance No. 24-02, as follows:

A. Identification of Designated Roads for Sidewalk or Pathway Construction.

1. The following are the “Designated Roads” where located within the boundaries of the Township for purposes of implementing policies that apply specifically to designated road corridors:
 - a. E. Pickard Road from S. Summerton Road west to S. Lincoln Rd.
 - b. E. Broadway Road from S. Summerton Road west to S. Lincoln Road.
 - c. E. Remus Road/High Street from US-127 west to S. Lincoln Road.
 - d. E. Broomfield Road from S. Isabella Road west to the City of Mt. Pleasant boundary.
 - e. E. Broomfield Road from Crawford Road west to S. Lincoln Road.
 - f. E. Blue Grass Road from S. Isabella Road west to S. Mission Rd.
 - g. S. Isabella Road from E. River Road south to E. Blue Grass Road.
 - h. Crawford Road from E. Broomfield Road south to E. Deerfield Road.
 - i. S. Lincoln Road from E. Pickard Road south to the Chippewa River.
 - j. S. Lincoln Road from the Chippewa River south to E. Broomfield Road.
2. These Designated Roads were identified to complete the sidewalk and pathway network; to connect with City of Mt. Pleasant, Saginaw Chippewa Indian Tribe, and Central Michigan University property and facilities; and to connect residential areas to local and regional schools, parks, activity centers, employment centers, retail, business, health care facilities, religious institutions, civic buildings, and community services.

B. Policy for Granting Temporary Relief from Sidewalk or Pathway Construction.

Temporary relief of sidewalk or pathway construction may be granted under the following circumstances:

1. The land is designated in the Township's adopted Master Plan for Rural Preservation or Rural Buffer, provided that:
 - a. The land is also located in an AG (Agricultural) or R-1 (Rural Residential) zoning district; and
 - b. The land is not served by both municipal water and sanitary sewer and any associated development project on the land does not require such services.
2. Less than 50% of the Surveyed Section(s) of the Township along the road(s) fronting the proposed development has sidewalks. If on a corner lot, the distance along the Surveyed Section(s) fronting the proposed development will extend in both directions along the frontage roads. Once the threshold has been met the sidewalk or pathway shall be required to be constructed within 365 calendar days.
3. If the cost to construct the sidewalk or pathway is greater than 50% of the overall project construction cost, based on detailed cost estimates prepared by a civil engineer, architect, licensed builder, paving contractor, or similarly qualified professional. The estimates shall be subject to review and recommendation by the Township Engineer.
4. The requirements of the state or county road authority with jurisdiction would necessitate off-site construction of a sidewalk ramp or curb return on the opposite side of a public road to complete the sidewalk or pathway construction project.
 - a. In such cases, temporary relief may be limited to construction of the sidewalk ramps or curb returns within the public road right-of-way.
 - b. If full relief from construction is granted, the sidewalk or pathway should be required to be constructed within 365 calendar days following installation of the necessary sidewalk ramps or curb returns.
5. The development is located on a private road serving rural single-family dwellings in an AG (Agricultural) or R-1 (Rural Residential) zoning district and outside of the boundaries of any subdivision plat or condominium development.
6. For parcels of land identified with frontage on a Designated Road, such temporary relief may be granted based on any of the above circumstances, provided also that a paved shoulder or equivalent improvement of at least four (4) feet in width either:
 - a. Exists along 50% or more of the surveyed section(s) of the Township along the road(s) fronting the proposed development; or
 - b. Construction is planned by the road authority with jurisdiction to be completed before the end of the next construction season.
7. For projects where a site plan is subject to administrative review and approval by the Zoning Administrator (such as a minor site plan as authorized by the Zoning Ordinance.

No. 20-06, as amended), the Zoning Administrator shall also have authority to grant or reject any request for temporary relief from sidewalk or pathway construction. If rejected, the applicant may submit a written request to the Planning Commission for reconsideration of the request for temporary relief. In such cases, the Planning Commission's action is final.

C. Easements for Sidewalk or Pathway Construction.

In any case where temporary relief from sidewalk or pathway construction is granted for a project subject to site plan approval under the Township's Zoning Ordinance No. 20-06 as amended, such relief should be made contingent upon the landowner authorizing and recording any easements on the land at the County Register of Deeds Office needed to allow for future construction of the sidewalk or pathway as depicted on the site plan.

D. Designated Areas for Pathway Construction.

Where sidewalks and pathways are required to be constructed in the Township, a pathway design shall be the preferred wherever a road corridor or other area of the Township is designated on a Township planning document for planned future pathway construction. Such planning documents shall include but not be limited to the adopted Township Master Plan and any sub-area plans, the adopted Township Parks and Recreation Master Plan, any regional non-motorized transportation plans accepted by the Township, or any plans associated with an adopted intergovernmental agreement or Board of Trustees resolution addressing sidewalks or pathways.

E. Possible Funding Options for Sidewalk or Pathway Construction.

It is the general policy of the Board of Trustees to prioritize the funding of sidewalk and pathway construction projects in the Township through cost-sharing methods, as follows:

1. Charter Township of Union General Fund and East/West DDA Funds as budgeted and appropriated for public sidewalk and pathway projects planned for and constructed by the Township consistent with the Board of Trustees' Global Ends, supplemented by grant funding where available and consistent with the Board of Trustees' governance policy 2.7 (Ends Focus of Grants).
2. Developer/property owner funding of new sidewalk and pathway construction to provide necessary barrier-free pedestrian accessibility to and within a lot subject to development or alteration in accordance with an approved site plan, subdivision plat, or equivalent development plan.
3. The lowest priorities for funding of public sidewalk and pathway projects would be through the following means as otherwise authorized by Public Act 246 of 1931, as amended: property owner cost-sharing, posting of a cash deposit in lieu of construction, payment to have public sidewalks or pathways constructed at their own expense, or reimbursement to the Township for construction costs over a five-year period.

The foregoing resolution was offered by Bills and supported by Rice.

Upon roll call vote, the following voted:

<u>Board of Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Supervisor Bryan Mielke	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Clerk Lisa Cody	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Treasurer Kim Rice	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Connie Bills	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Jeff Brown	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Brian Smith	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee James Thering	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

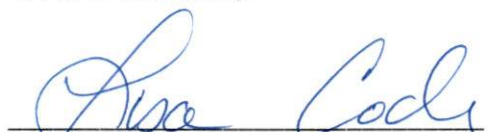
RESOLUTION DECLARED ADOPTED.


Bryan Mielke, Supervisor

29 AUG 2024
Date

CERTIFICATION

I, Lisa Cody, Clerk for the Charter Township of Union, do hereby certify that the foregoing is a true and complete copy of the action taken by the Board of Trustees at a regular meeting held on the 28th day of August, 2024. I further certify that public notice was given and the meeting was conducted in full compliance with the Open Meetings Act (Public Act 267 of 1976, as amended).


Lisa Cody, Clerk

8-29-24
Certification Date