Planning Commission

Larry Fox, Chairperson
Michael Mitchell, Vice-Chairperson
Tom Murphy, Secretary
Summer L. McMullen, Trustee
Sue Grissim, Commissioner
Jim Mayer, Commissioner
Matthew Eckman, Commissioner

Planning Commission Meeting Agenda
Hartland Town Hall
Thursday, November 19, 2026
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Meeting Minutes
   a. Planning Commission Meeting Minutes of October 8, 2026
   b. Planning Commission Meeting Minutes of October 22, 2026
6. Call to Public
7. Old and New Business
   a. Site Plan/PD Application #26-010, Planned Development (PD) Concept Plan for a residential community with detached single-family condominium units and commercial area – North Oaks PD – REVISED CONCEPT PLAN
8. Public Hearing
   a. Zoning Amendment #26-002 Backyard Chickens/Poultry
9. Call to Public
10. Planner's Report
    a. 2027 Planning Commission Meeting Calendar
11. Committee Reports
12. Adjournment

HARTLAND TOWNSHIP PLANNING COMMISSION DRAFT MEETING MINUTES

OCTOBER 8, 2026– 7:00 PM

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1. **Call to Order: Chair Fox called the meeting to order at 7:00 p.m.**

2. **Pledge of Allegiance:**

3. **Roll Call and Recognition of Visitors:**
   Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, Mitchell and Murphy
   Absent – None

4. **Approval of the Meeting Agenda:**
   Commissioner McMullen offered a Motion to approve the October 8, 2026, Planning Commission Meeting Agenda. Seconded by Commissioner Murphy. Motion carried unanimously.

5. **Approval of Meeting Minutes:**
   a. Planning Commission Meeting Minutes of September 24, 2026. **Commissioner Eckman offered a Motion to approve the Planning Commission Meeting Minutes of September 24, 2026. Seconded by Commissioner Mitchell. Motion carried unanimously.**

6. **Call to the Public:**
   None

7. **Old and New Business**
   a. Site Plan Application #26-011 Proposed facade and site renovations at 10440 Highland Road

   Director Langer stated the following:
   - Gave an overview of the location and scope of the request: east of US 23, south side of M-59. Currently there is a BP fuel station.
   - Applicant is representing Meijer who intends to acquire the site and make it a Meijer fuel station and convenience store.
   - Only approval needed for the re-branding is from the Planning Commission and staff for a Land Use Permit.

   Joe Wright, PLA at Fishbeck; representing the Applicant, James Perry of Meijer; stated the following:
   - Site will be the Meijer Express Fuel and Convenience Store.
   - Minimal changes to the site itself, with significant changes to the exterior and interior layout.
   - Intend to update the landscaping.
   - Intend to add gates to the dumpster enclosure.
   - Smoothie King will remain as a tenant.

   Chair Fox referred to the staff memorandum dated October 1, 2026. Brands change often; why is this coming before the Planning Commission?

Director Langer stated the following:

- Adding height to the building façade and adding some knee-walls on the west side.
- Current owner came to the Planning Commission to refurbish the building. At that time outdoor storage and screening was discussed. Meijer stated they will take care of the existing outdoor storage by adding proper screen walls.
- Landscape changes.

SITE PLAN REVIEW – Applicable Site Standards

Landscaping and Screening

Director Langer stated

- Site needs some attention but a change in occupancy does not require a landscaping review.
- Meijer expressed a desire to address the need for landscaping; updating and cleaning it up.
- Staff continues to work with Meijer.

Commissioner Grissim commented what is being suggested is great. Rather than trees and evergreen yews on the east side of the parking area that will be impacted by vehicles, maybe ornamental grasses might be easier to maintain. The Applicant agreed and stated they also intend to irrigate the site.

The Applicant also stated the following:

- Added a sidewalk and concrete on the west side so they could put the ice chest and propane cage on the west side; there will be a knee wall for screening.
- Intend to replace concrete façade in front; Meier wants a clean slate visual in front.
- Fuel tank replacement will require some trenching; rather than patching the asphalt, they intend to mill and repave that area.
- Will look very new.

Lighting (Section 5.13)

Director Langer stated the following:

- Some values exceed the maximum footcandles permitted and some information is missing, which is not uncommon but easily addressed: the lighting under the awnings (north side of the building) should be included in the footcandle values/intensity calculations on the photometric plan.
- Fuel canopy eyebrow lighting shown on the photometric plan is not permitted and details should be removed from the photometric plan (Luminaire schedule and detail A1).
- Need to add the fixture type under the awning on the north side.
- The photometric plan shall be revised to address comments in this section on the Construction Plan set.

Commissioner McMullen commented she feels it is dark there now and would like it to be brighter so people will feel safer.

Architecture / Building Materials

Director Langer stated the following:

Convenience store renovations

- Keeping the building materials but providing additional colors.

- Adding about five (5) feet to the entryway.
- Dumpster will be painted to match the building.

Fueling Station Canopy Renovations

- Colored band on the canopy is slightly too large and must be adjusted.
- Sigs are part of a different review.

Outdoor storage area and screen wall

- Increasing the concrete within the proposed screened outdoor storage area on the west side of the building.
- Outdoor storage is permitted if properly screened.

Dumpster gates

- Four (4) new wood gates are to be added to the existing dumpster enclosure.

Commissioner Mitchell asked about the changes requested since the Site Plan Review Committee met. The Applicant stated the changes were not incorporated into this plan. The Applicant wanted the Planning Commission to know they did not ignore the request of the SPRC and did share those changes, but the design team asked that the Applicant once again explain the thickness of the band and the eyebrow lighting are considered branding elements for Meijer. The Applicant stated they understand what is permitted and will comply. Director Langer stated since this is not a Planned Development, the Applicant really does not have any other option than to meet the ordinance requirements.

Commissioner Grissim offered the following Motion:

Move to approve Site Plan Application #26-011, a request to renovate the exterior façade of the multi-tenant commercial building and update selective site elements at 10440 Highland Road, as outlined in the staff memorandum dated October 1, 2026.

Approval is subject to the following conditions:

1. **The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated October 1, 2026, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**

2. **A land use permit is required prior to the commencement of the exterior façade renovations and/or applicable site improvements as shown on the site plans.**

3. **Signs are not approved as part of this request. The blue accent stripe on each of the four (4) sides of the fueling station canopy is not approved as part of this request. Signs and the blue accent stripes require separate sign permits which are subject to an administrative review by the Planning staff.**

4. **Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, and all applicable government agencies as applicable.**

Seconded by Commissioner Murphy.

Commissioner Mayer inquired if the changes needed to be added as conditions. Director Langer replied no, it has been addressed.

Motion carried unanimously.

b. Comprehensive Development Plan 5 Year Review
Director Langer stated the following;

- Any municipality is required to review their Master Plan/Comprehensive Development Plan every five (5) years.
- Thought was to review them in a joint session with the Township Board but have been unable to secure a date.
- Hoping to have someone come in and speak to give real information regarding data centers and other topics of concern.
- Under a time limit for this review; the Director has composed a memorandum for the Planning Commission and the Township Board to review to meet the requirement.
- Memorandum includes links to all of the documents.
- Also included a checklist from Michigan State University Planning Extension.

Commissioner Eckman asked when the Comprehensive Plan was last completely reviewed. Commissioner Grissim responded 2004.

Director Langer added there was an amendment in 2015 and another in 2020-2021 following the Retail Market Analysis. There has been discussion about updating the existing plan with new demographic information, but no date has been set for that review. It can be a long process.

Chair Fox stated much of the existing plan is historical and does not need to be updated. The Future Land Use Map was reviewed and some adjustments made.

Commissioner Eckman stated the real power of the plan is the Future Land Use Map.

The Planning Commission discussed the process.

Commissioner Eckman offered the following Motion:

Move to recommend that the Planning Commission determine that the five-year review of the Comprehensive Development Plan has been completed and that no amendments to the Plan are necessary at this time.

Findings:

1. **The overall goals and objectives of the Comprehensive Development Plan remain applicable to the Township's current planning and development needs.**
2. **The Future Land Use Map continues to provide reasonable guidance for anticipated land use and development patterns**
3. **Development and redevelopment activity since the adoption of the Comprehensive Development Plan has not identified a substantial conflict with the Plan's overall land use policies.**

4. **Recent zoning and land-use decisions are generally consistent with the intent and recommendations of the Comprehensive Development Plan.**
5. **No significant changes in the community conditions have been identified that would warrant initiating a comprehensive amendment or replacement of the Comprehensive Development Plan at this time.**
6. **Although demographic, development, and infrastructure, and other conditions will continue to change, the changes identified through this review do not appear to affect the fundamental goals, policies, or overall direction of the Comprehensive Development Plan.**
8. **Minor changes in data, development trends, or other conditions may be monitored by staff and considered as part of a future Comprehensive Development Plan update.**

Seconded by Commissioner Mitchell. Motion carried unanimously.

9. **Call to the Public:**
   None

10. **Planner Report:**
    None

11. **Committee Reports:**
    Commissioner McMullen reminded the Planning Commission of the upcoming State of the Community event at the Hartland Music Hall scheduled for October 21, 2026, at 5:00PM and encouraged the Commission to attend.

12. **Adjournment:**
    A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner McMullen. Motion carried unanimously. The meeting was adjourned at approximately 7:43 PM.

HARTLAND TOWNSHIP PLANNING COMMISSION DRAFT MEETING MINUTES

OCTOBER 22, 2026– 7:00 PM

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1. **Call to Order: Chair Fox called the meeting to order at 7:00 p.m.**

2. **Pledge of Allegiance:**

3. **Roll Call and Recognition of Visitors:**
   Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, and Mitchell
   Absent – Commissioner Murphy

4. **Approval of the Meeting Agenda:**
   Commissioner Eckman offered a Motion to approve the October 22, 2026, Planning Commission Meeting Agenda. Seconded by Commissioner Mitchell. Motion carried unanimously.

5. **Approval of Meeting Minutes:**
   None

6. **Call to the Public:**
   None

7. **Old and New Business**
   a. Site Plan Application #26-008 for a proposed financial institution with drive-through service (Hartland Towne Square Planned Development)

      Director Langer stated the following:
      - Gave an overview of the location and scope of the request: located east of US 23, north of M-59 in the Hartland Towne Square development, west of Buffalo Wild Wings.
      - New building for Financial Plus Credit Union.
      - Requires Site Plan approval only from the Planning Commission.

      Representing the Applicant, Jeff Beymer of DEI Inc., and Sean Freeley of Financial Plus Credit Union introduced themselves and stated they are excited to bring this project to Hartland Township.

      Chair Fox referred to the staff memorandum dated October 15, 2026.

      Impact Assessment
      Chair Fox stated an Impact Assessment is not required. Director Langer explained when Hartland Towne Square was developed an impact statement was provided at that time that included the entire development. The different applicants for the various businesses in the development have not been required to submit a separate impact assessment.

      Traffic Generation
      Chair Fox stated it is the same as the Impact Assessment. Director Langer concurred.

Access and Circulation
Chair Fox stated the site is accessed from a proposed driveway from Hartland Square Drive and an internal access drive that connects to Buffalo Wild Wings on the east and a vacant parcel on the west.

Site Requirements
Barrier-Free Parking (Per ADA guidelines and approved Pattern Book – Page 44)
Director Langer referred to the site plan indicated a barrier-free parking space shown at five (5) feet wide rather than eight (8) feet wide as required. The neighboring space is eleven (11) feet wide but does not need to be so there is room to make this change without impacting the number of spaces.

Director Langer also mentioned the site plan indicates ten (10) spaces in the same area where the Landscape Plan only shows nine (9). They need twenty-two (22) and the site plan shows twenty-two (22). If the Applicant desires to keep the larger endcaps for more landscaping, they will need a waiver for the one (1) parking space.

The Planning Commission and the Applicant briefly discussed their parking needs.

The Planning Commission granted a waiver for the one (1) parking space for a total of twenty-one (21) spaces.

Loading (Per approved Pattern Book – Page 41)
Chair Fox stated a designated loading space is not typically required for this type of project.

Landscaping
Commissioner Grissim stated the following:
- Difference in Site Plan and Landscape Plan has been resolved.
- Screen parking with Evergreen Shrubs.
- Visited the site to view the Pear Trees, some in the area have a disease but those looked great for now.
- Shifting trees around, there is plenty of room.
- Show the light poles on the Landscape Plan.

Director Langer pointed out another discrepancy between the Site Plan and the Landscape Plan stated the following:
- Area behind the building between the sidewalk and the drive, there is a landscape area; on the Landscape Plan it is shown as six (6) feet, on the Site Plan it is shown as three (3) feet.
- Not sure why the building shifted three (3) feet.

The Applicant, represented by Greg Ezzo, Civil Engineer, stated they shifted the building due to a comment regarding the water main and the sanitary main, they have to be a specified distance from the sanitary main and water main, so they shifted the building three (3) feet.

Commissioner Grissim stated if that is the case, there are two (2) rows of plantings shown, they can do one (1) row as they will not have the room for both. Due to salt on the walk and parking area, ornamental grasses have been used as they are tough and can handle the salt.

Commissioner Mayer asked about the distance shown from the utilities. The Applicant stated they have to be twenty (20) feet from the water main, and the water main has to be ten (10) feet from the sanitary main.

Lighting (Per approved Pattern Book – Pages 23 and 44 and Section 5.13 of Zoning Ordinance)

Director Langer stated the Planning Commission must consider the waiver request from the applicant regarding the proposed lighting values under the drive-through canopy. The Applicant would like it brighter for security purposes. It is not really very bright, just brighter than the Lighting Ordinance permits.

The Planning Commission agreed and granted the waiver for the lighting under the canopy.

Fixture Type

Chair Fox stated the using the new standards for this Planned Development (PD), pole and light fixture color (black is required) shall be stated on the revised photometric plan as part of the Construction Plan set.

Roof appurtenances (Page 38 of Pattern Book)

Director Langer referred to the Site Plan stating there are rooftop units for this project and are screened by the parapet wall. They are not visible from the edge of the parcel as required.

Commissioner Mayer asked about the access drives to the southeast and northwest. The Applicant asked if they have to provide one to the southeast if Buffalo Wild Wings does not have an access, which they currently do not.

Director Langer stated when Buffalo Wild Wings was approved, for some reason, they were not required to provide an internal connection to the northwest of their site and, in his opinion, he does not think it is right to require that of this applicant; however, to avoid the same issue to the northwest of the Financial Plus Credit Union, they should show the access all of the way to the property line to accommodate future development to the northwest.

Property owner, Stephen Samona, stated they will initiate a dialogue with Buffalo Wild Wings if that is desired.

Sean Freeley of Financial Plus Credit Union reminded the Planning Commission their hours are 9:00AM to 5:00PM and would not add to traffic at Buffalo Wild Wings; they could access the credit union's parking lot if needed after hours.

The Planning Commission agreed to allow staff to make that adjustment with the Applicant on the Construction Set of plans if Buffalo Wild Wings chooses not to add that connection on their property.

Commissioner Grissim offered the following Motion:

Move to approve Site Plan Application #26-008 a request to construct an approximate 4,006 square foot financial institution with drive-through service, as outlined in the staff memorandum dated October 15, 2026.

Approval is subject to the following conditions:

1. **The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated October 15, 2026, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**

2. **A land use permit is required prior to construction.**

3. **Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements and all government agencies as applicable.**

4. **Waiver request for a reduction in the number of off-street parking spaces is approved (21 off-street parking spaces approved).**

5. **The internal drive lane on the south side of the site shall be extended to the west property line.**

6. **The proposed drive lane connection to the adjacent property on the east (Buffalo Wild Wings) shall be agreed to with the property owner to the east, or the drive lane connection shall be removed from the site plan on the Construction Plan set.**

Seconded by Commissioner Mayer.

The Planning Commission and Director Langer briefly discussed adding conditions 4, 5 & 6.

The Maker and the Seconder agreed. Motion carried unanimously.

b. Site Plan/PD Application #26-010, Planned Development (PD) Concept Plan for a residential community with detached single-family condominium units and commercial area – North Oaks PD

Director Langer stated the following:

- Gave an overview of the location and scope of the request: east of US 23, northwest corner of Fenton Road and M-59.
- Proposed 80-unit single family homes.
- Southern portion along M-59 is for future commercial.
- The 2-acre corner parcel at the intersection of Fenton Road and M-59 is not included in the PD request.
- Requesting Planned Development (PD) approval which is a three-step process. A Concept Plan, Preliminary Plan, and Final Plan are all reviewed by the Planning Commission and the Township Board, with the Planning Commission making a recommendation and the Board

having final approval at each step. The process usually requires a rezoning from the existing zoning district to the Planned Development (PD) zoning district.
- Tonight is the Conceptual Review, comments only, no decision.

The Applicant, Isam Yaldo introduced himself and Dave Stillman of Century Communities. He stated the following:
- Property had many more sewer taps than it does now as they were purchased from this property and moved to the parcel directly south across M-59 for a future residential community that will come before the Planning Commission soon.
- They are ready to move forward with this project for 80 single family homes.
- Lots will be sixty (60) feet by one-hundred twenty-two (122).
- Many of the lots will be more than 60 feet wide as width was added to allow for the type of home Century Communities builds.
- Side yard setback is 7.5 feet rather than 5 feet, fifteen (15) feet in between homes.
- Including existing developments such as Highland Reserve, Redwood Apartments and Lockwood Senior Apartments, there will be an addition of approximately 1,200 new residences in this area.

Proposed Concept Plan

General
Chair Fox stated the following:
- Subject parcel is approximately 28.22 acres in area.
- There are two (2) vehicular access options to the development: the main access is from M-59, the other is a 20-foot-wide gravel emergency road in the eastern portion of the site.

The Applicant mentioned there is a hill north of this development on Fenton Road and Livingston County Road Commission (LCRC) will not approve a full access point onto Fenton Road other than one for emergencies, a gravel road with a gate. They even tried to purchase one of the existing homes to use as an access but were denied by LCRC.

The Planning Commission briefly discussed the gravel road requirement by the county.

The Applicant also mentioned that Century Communities prices were at least ten percent less than other home builders in this area.

The Planning Commission briefly discussed the width of the lots.

Commissioner Mayer asked if the homes will be forty-five (45) feet wide. The Applicant confirmed.

Other Concept Plan Details
Chair Fox stated there are on-site stormwater detention standards.

Open Space
Chair Fox asked the Applicant where he intends to provide the Open Space. The Applicant stated the area around the homes is intended to be counted as Open Space. Director Langer indicated a

portion of the plan that could be counted as Open Space and stated they have permitted some areas around homes to be counted as Open Space in the past as in the Courtyards of Hartland project.

The Planning Commission discussed other projects, how the Open Space was calculated, and usable Open Space.

Chair Fox stated trying to get permission from Michigan Department of Transportation (MDOT) for commercial driveway access at this location would be difficult. He also suggested if a commercial area moves forward at this location, he would like to see a curb cut shown on the plan even if it changes in the future.

Director Langer offered a suggestion to both the Applicant and the Planning Commission that some of the area along M-59 designated for future commercial use be used for additional lots and Open Space instead.

The Planning Commission discussed access options, past projects with a portion proposed as commercial use, and the future project on the 2-acres of land at the northwest corner of Fenton Road and M-59

The Applicant stated he is amenable to modifying the Concept Plan but must discuss it with his engineers and his partner.

Director Langer stated his concerns were triggered by what occurred during the Highland Reserve project, where commercial was proposed but not possible due to MDOT requirements; this resulted in an amendment to the PD. This proposal looks very much like the other that did not move forward requiring and required an amendment.

Chair Fox also suggested taking a portion of proposed lot 55 and adding a sidewalk connection to Heritage Park as a selling point and Recognizable Benefit.

Proposed Density
Director Langer stated the following:

- The property is approximately 28.22 acres, resulting in an estimated density of 2.83 dwelling units per acre (80 units ÷ 28.22 acres = 2.83 dwelling units per acre) using the plan submitted for tonight.
- The subject property is designated as a Special Planning Area (SPA) on the adopted 2020-2021 Future Land Use Map.
- The property is part of the M-59/Pleasant Valley/Fenton Road Special Planning Area. This category designation envisions a maximum density of four (4) dwelling units per acre.
- Using 28.22 acres for the property size and allowing a maximum of four (4) units per acre, a maximum 112.88 (or 113) dwelling units could be permitted (28.22 acres x 4 dwelling units per acre).
- The Concept Plan proposes a density of 2.83 dwelling units per acre (80 dwellings ÷ 28.22 acres) that could change, but currently is consistent with the maximum allowed density for the Special Planning Area.
- Per Section 3.1.18.C.iv., the Planning Commission may agree to recommend up to a forty (40%) percent increase in units on a site in recognition of outstanding attributes as listed in this

section. The Township Board in its sole discretion shall have the ability to approve such density increase up to forty (40%) percent subsequent to an affirmative recommendation from the Planning Commission. In this case if the Planned Development land area could accommodate 113 units, in accordance with the Comprehensive Plan, the Planned Development plan could include up to 158 dwellings (113 + 45 additional units) if a maximum bonus were awarded by the Planning Commission and Township Board.

Traffic Generation
Chair Fox stated the applicant has not submitted a traffic impact analysis as part of the Concept Plan submittal; this is one of the requirements of the Preliminary PD submittal.

Internal Vehicular/Pedestrian Circulation
Chair Fox stated the following:

- Roads are shown, sidewalks are not.
- The Planning Commission will be looking for sidewalks as part of this development.
- He does not feel sidewalks flush to the back of the curb would be a safe option for a development with young families.
- Would like to see a more traditional plan with grass and street trees.

The Planning Commission agreed.

Utilities
Chair Fox stated the Applicant is working with the agencies involved.

Design Details
Chair Fox stated some sample home designs were submitted but not a Pattern Book with specific design details.

Commissioner McMullen asked if the dead end stub streets could be cul-de-sacs instead. Director Langer replied it would be difficult due to space. The Applicant confirmed a cul-de-sac requires a sixty (60) foot radius which equals a one-hundred twenty (120) foot in diameter area. They would lose at least five (5) lots each.

The Planning Commission discussed Lot 72, the width of the road, and the driveway location and design. The Applicant suggested they create an eye-brow design to serve those lots as is intended for the other side of the development.

Landscaping
Chair Fox stated they will need a plan.

Exterior Lighting
Chair Fox stated they will need a plan.

Recognizable Benefits
Chair Fox stated they will need a list of the Recognizable Benefits; the sidewalk connection to Heritage Park could be one of them.

Chair Fox and the Planning Commission discussed the next steps if the Concept Plan would move on to the Township Board with these comments or if the Applicant should make the proposed changes and return to the Planning Commission before moving on to the Township Board. The next step, Preliminary PD approval, is expensive. Director Langer stated the Applicant could return with a revised Concept Plan before progressing to the Township Board if desired.

The Applicant stated he would like to revise the Concept Plan and come back to the Planning Commission.

The Planning Commission offered the following comments on the Concept Plan:

- Commissioner Mitchell stated he would like to see the plan modified to offer more Open Space and Usable Open Space for kids to play. He also likes the idea of a sidewalk connection to Heritage Park. He thinks the Applicant is on the right track. He expressed concerns getting into a legal issue with the abutting property owner on the corner regarding their access. Director Langer explained as part of the Public Hearing requirements, property owners within 300 feet received a written notice of the day and time of the hearing, but staff can reach out to them and make them aware there is a Concept Plan being considered.

The Planning Commission discussed the potential access options and the challenge of dealing with MDOT along M-59.

- Commissioner Eckman stated it is a compact project but under the required density. He thinks it is great and likes the option of more lots up front rather than commercial. He also suggested a berm to provide a buffer from the traffic on M-59.

- Chair Fox stated he likes the project, it needs some tweaking, he likes the idea of single family homes, and the reduced density on the corner.

8. Call to the Public:
None

9. Planner Report:
None

10. Committee Reports:
None

11. Adjournment:
A Motion to adjourn was made by Commissioner Eckman and seconded by Commissioner McMullen. Motion carried unanimously. The meeting was adjourned at approximately 8:23 PM.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Site Plan/PD Application #26-010, Planned Development (PD) Concept Plan for a residential community with detached single-family condominium units and commercial area – North Oaks PD – REVISED CONCEPT PLAN

Date: November 9, 2026

Recommended Action
No formal action shall be taken by the Planning Commission or the Township Board as part of a Planned Development Concept Plan review. The Planning Commission should provide comments to the applicant about the proposed Planned Development Concept Plan and whether it is indicative of a plan that can and will meet the intent, design standards, and eligibility criteria of the Planned Development process.

Discussion

Applicant: Isam Yaldo

Site Description
The subject property is located near the northwest corner of Highland Road and Fenton Road in Section 23 of the Township. The subject parcel (Parcel ID #4708-23-400-037) is approximately 28.22 acres in size and zoned CA (Conservation Agricultural). The 2020-2021 Future Land Use Map (FLUM) designates this parcel as Special Planning Area (SPA) and is within the M-59/Pleasant Valley/Fenton Road SPA.

Proposed Revised Concept Plan
On October 22, 2026, the Planning Commission reviewed Site Plan/PD #26-010, the Concept PD plan for North Oaks. Based on the discussion at the meeting the applicant has presented a revised concept plan for the residential planned development. Following is a summary of the revised Concept PD plan:

- The commercial area along the frontage of Highland Road has been eliminated. The planned development is solely a residential development (28.22 acres).
- The number of dwelling units has been revised from eighty (80) dwelling units to ninety-six (96) dwelling units.
- The residential density has changed from approximately 2.83 dwelling units per acre to 3.40 dwelling units per acre.
- Internal vehicular circulation is essentially the same, however the two (2) dead end stubs on the north side of the development have been eliminated, and a continuous vehicular circulation loop is shown.
- The boulevard design in the private road that connects to Highland Road has been modified.
- The 20-foot-wide emergency access to Fenton Road is shown as paved, versus gravel on the previous plan. A proposed gate and Knox Box are shown at the east end of the emergency access.

- A typical building setback plan is shown, with the building setbacks stated.

- Unit 1 is approximately 66.61 feet from the property line along Highland Road. Lot 96 is approximately 60 feet from the property line along Highland Road.

- Internal sidewalks are shown throughout the development. The sidewalk width is five (5) feet.

- A sidewalk is shown on the west, between Unit 14 and Unit 15, with the intent of providing a connection to the adjacent property (Heritage Park).

- Proposed sidewalks are shown in the right-of-way of Highland Road, along the frontage of the development, with the intent to connect to existing/future pedestrian access along Highland Road.

- The detention basin is relocated from the southwest corner to the southeast portion of the site.

- Berms are shown along the frontage of Highland Road and adjacent to the residential lots in that area.

- A park is shown in the southwest corner of the site. Access to the park is provided via a sidewalk south of Unit 1 that connects to the internal sidewalk within the development.

- Per the plan, green space is the resultant area minus unit building area, roads, access drive, and driveways. This equates to 9.91 acres of green space, or 64.87% of the development. Open space areas are shown on the plan with a red stripe graphic and equates to 4.41 acres. Staff is unsure if this graphic depicts usable open space.

Open Space
Section 3.1.18.C requires a Planned Development to include open space; at a minimum that open space should meet the requirements of the site's previous zoning district. Historically in other residential Planned Developments, such as Walnut Ridge Estates and Fiddler Grove, the following formula was applied: a minimum of 25% (of total area of site) should be provided as open space, and of that 25%, 10% must be usable open space.

Section 3.15 states residential condominium developments (in several zoning district classifications) "open common open space shall be planned, developed, and maintained for appropriate recreational and other open space uses for the anticipated occupants of the housing."

Section 2.169 (Definitions) defines Open Space as follows:

<u>Open Space:</u> An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space may include lawns, decorative planting, walkways, gazebos, active and passive recreation areas, playgrounds, fountains, swimming pools, woodlands, wetlands and water courses. Open space shall not be deemed to include driveways, parking lots or other surfaces designed or intended for vehicular travel, but may include a recreational clubhouse or recreation center.

Section 2.170 (Definitions) defines Usable Open Space as follows:

Usable Open Space: A land area suitable for active recreation.

For the proposed development consisting of 28.22 acres, this would equate to a minimum of 7.06 acres of open space (25% of the development area), with a minimum of 0.706 acres of usable open space.

The Preliminary PD plans should clearly identify areas counted as open space and usable open space, using different graphics, and stating the land area of each open space area, and the percentage of open space and usable open space.

Recommendation

No formal action shall be taken by the Planning Commission or the Township Board as part of a Planned Development Concept Plan review. The Planning Commission should provide comments to the applicant about the proposed PD Concept Plan and whether it is indicative of a plan that can and will meet the intent, design standards, and eligibility criteria of the Planned Development process.

The Preliminary PD will include significantly more detail with respect to design and engineering, open space, landscaping, lighting, traffic impacts, wetland determinations, common space features, etc. It would be in the Applicant's best interest to provide a summary of design details (entryway feature, landscaping, amenities, common area features, etc.) as part of the Preliminary PD submittal.

Attachments:

1. Staff memorandum SP/PD #26-010 Concept Plan staff report PC dated 10.15.2026 – PDF version
2. Concept PD Plan dated 09.15.2026 – PDF version
3. Revised Concept PD Plan dated 11.04.2026 – PDF version

CC:
Spaulding DeDecker, Twp Engineer (via email)
Scott Hable, Twp DPW Director (via email)
A. Carroll, Hartland FD Fire Chief (via email)

T:\PLANNING DEPARTMENT\PLANNING COMMISSION\2026 Planning Commission Activity\Site Plan Applications\SP PD #26-010 Yaldo North Oaks Concept PD\Staff reports\Planning Commission\SP PD #26-010 Rev Concept PD Plan Staff report PC 11.09.2026docx

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Site Plan/PD Application #26-010, Planned Development (PD) Concept Plan for a residential community with detached single-family condominium units and commercial area – North Oaks PD

Date: October 15, 2026

Recommended Action
No formal action shall be taken by the Planning Commission or the Township Board as part of a Planned Development Concept Plan review. The Planning Commission should provide comments to the applicant about the proposed Planned Development Concept Plan and whether it is indicative of a plan that can and will meet the intent, design standards, and eligibility criteria of the Planned Development process.

Discussion

Applicant: Isam Yaldo

Site Description
The subject property is located near the northwest corner of Highland Road and Fenton Road in Section 23 of the Township. The subject parcel (Parcel ID #4708-23-400-037) is approximately 28.22 acres in size and zoned CA (Conservation Agricultural). The 2020-2021 Future Land Use Map (FLUM) designates this parcel as Special Planning Area (SPA) and is within the M-59/Pleasant Valley/Fenton Road SPA.

Currently the property is undeveloped and primarily consists of open fields which have historically been used for agricultural activities. Hedgerows border the property on the west and in the center part of the property.

A vacant two (2) acre parcel borders the subject site at the northwest corner of Highland Road and Fenton Road (Parcel ID# 4708-23-400-036) This parcel is zoned CA (Conservation Agricultural). The site plan submitted for the North Oaks PD Concept Plan (SP/PD #26-010) shows the 2-acre parcel, but this property is not part of the current PD project. The 2-acre parcel is zoned CA (Conservation Agricultural) and is under a different ownership than the applicant for North Oaks PD.

Adjacent properties to the west, north, and east are zoned CA-Conservation Agricultural. Four (4) single family residential lots of approximately one acre in size, border the east side of the property and take access off Fenton Road. A residential subdivision (single-family) is located to the north. The adjacent properties to the west include a church (All Saints Lutheran Church) and the Township-owned Heritage Park.

The 2020-2021 Future Land Use Map (FLUM) shows a designation of Public/Quasi Public to the west (church and park) and Low Suburban Density Residential north and east of the subject site.

Site History
Historically, plans for the Newberry Place Planned Development have included the subject property as part of that planned development, under several applications. Newberry Place PD did not receive Final PD approval, and the current request is not related to the Newberry Place PD.

Municipal water and sanitary sewer will be required for this project.

Planned Development Procedure

Section 3.1.18 of the Township's Zoning Ordinance provides standards and approval procedures for a PD (Planned Development). Approval of a Planned Development is a three-step process. A Concept Plan, Preliminary Plan, and Final Plan are all reviewed by the Planning Commission and the Township Board, with the Planning Commission making a recommendation and the Board having final approval at each step. The process usually requires a rezoning from the existing zoning district to the Planned Development (PD) zoning district.

The Preliminary PD, which is in the next phase of a Planned Development (PD), will include significantly more detail with respect to design and engineering, landscaping, lighting, traffic impacts, wetland determinations, common space features, etc. It would be in the Applicant's best interest to provide a summary of design details (entryway feature, landscaping, amenities, common area features, etc.) as part of the Preliminary PD submittal.

As part of the rezoning, a public hearing will be held before the Planning Commission consistent with the Michigan Zoning Enabling Act; this public hearing is held at the same meeting during which the Planning Commission reviews and makes a recommendation on the Preliminary PD. Approval of the Final Plan by the Township Board usually constitutes a rezoning of the subject property to PD (Planned Development).

Discussions on this project occurred during several informal meetings with the applicant, Planning staff, and the Planning Commission's Site Plan Review Committee.

Proposed Concept Plan

A. General

The subject parcel is approximately 28.22 acres in area. Per Section 3.1.18.B.ii, the minimum size for a Planned Development is twenty (20) acres of contiguous land, thus the property meets the minimum size requirement.

Development Plan

The applicant has submitted a Concept PD Plan for a planned development with a total of 80 detached single-family dwelling units plus a commercial area along the frontage of Highland Road. Per the applicant, the residential area is approximately 21.2 acres; the commercial area is approximately 4.87 acres; and the detention area is approximately 2.15 acres.

Per the site plan, there are two (2) vehicular access options to the development: the main access is from Highland Road which has a boulevard element and provides connections to the interior private roads for the PD. Highland Road is a public road, which is under the jurisdiction of the Michigan Department of Transportation (MDOT).

The second access is a 20-foot-wide gravel emergency road in the eastern portion of the site. This road provides a connection to an internal (paved), private road in the development and Fenton Road. The purpose of the road is to provide emergency access to the site and is not intended to be used otherwise. Fenton Road is under the jurisdiction of the Livingston Couty Road Commission (LCRC).

Internally there is a looped private road system that provides access to the 80 single-family dwellings and connects to the boulevard road and Highland Road.

The residential portion of the development is occupied with eighty (80) single-family residential lots. The typical lot size is stated as eighty (80) feet wide by one hundred and twenty (120) feet deep, equating to

approximately 9,600 square feet. The assumption is that the lots will be developed as single-family residences. Building setbacks for the lots are shown on the plan. The applicant provided sample housing styles and color palettes that are available for the exterior finishes.

Other Concept Plan Details
On-site stormwater detention is shown in southwest portion of the site and is intended to serve the entire development per the applicant.

Open space areas are not shown. An open space plan will be required as part of the Preliminary PD Site plan submittal.

The property is approximately 28.22 acres, resulting in an estimated density of 2.83 dwelling units per acre (80 units ÷ 28.22 acres = 2.83 dwelling units per acre). More discussion on density is provided in the next section of this report.

Section 3.1.18.E has specific requirements for information to be included within a Planned Development Concept Plan submittal. Given the information provided by the applicant, the Planning Department feels the submittal is sufficient to consider complete.

B. Proposed Density
Section 3.1.18.C. of the Zoning Ordinance states the residential density in a planned development shall be consistent with the density designation within the Township's Comprehensive Plan. The subject property is designated as a Special Planning Area (SPA) on the adopted 2020-2021 Future Land Use Map.

The property is part of the M-59/Pleasant Valley/Fenton Road Special Planning Area. This category designation envisions a maximum density of four (4) dwelling units per acre. Using 28.22 acres for the property size and allowing a maximum of four (4) units per acre, a maximum 112.88 (or 113) dwelling units could be permitted (28.22 acres x 4 dwelling units per acre). The Concept Plan proposes a density of 2.83 dwelling units per acre (80 dwellings ÷ 28.22 acres), which is consistent with the maximum allowed density for the Special Planning Area.

Per Section 3.1.18.C.iv., the Planning Commission may agree to recommend up to a forty (40%) percent increase in units on a site in recognition of outstanding attributes as listed in this section. The Township Board in its sole discretion shall have the ability to approve such density increase up to forty (40%) percent subsequent to an affirmative recommendation from the Planning Commission. In this case if the Planned Development land area could accommodate 113 units, in accordance with the Comprehensive Plan, the Planned Development plan could include up to 158 dwellings (113 + 45 additional units) if a maximum bonus were awarded by the Planning Commission and Township Board.

C. Public Road Access
As noted previously, the primary access to the PD is shown from Highland Road. Any proposed vehicular access from Highland Road requires review and approval from the Michigan Department of Transportation (MDOT). An emergency gravel access road is shown from Fenton Road which travels into the site. Approval of any vehicular access from Fenton Road must be obtained from the Livingston County Road Commission.

D. Traffic Generation
The applicant has not submitted a traffic impact analysis as part of the Concept Plan submittal; this is one of the requirements of the Preliminary PD submittal.

E. Internal Vehicular/Pedestrian Circulation
Internally the residential units are served by a looped system of private roads. The private roads in the proposed development will be required to meet the standards of Section 5.23 of the Zoning Ordinance for a road serving twenty-five (25) or more units or parcels, which requires the private road to be constructed consistent with public road requirements of the Livingston County Road Commission (LCRC). Design details of the private roads are not provided on the Concept Plan.

Sidewalks are not shown on the plans, along the private roads or along the frontage of Highland Road. The expectation is that sidewalks should be provided internally and along the public road.

F. Utilities
Municipal water and sanitary sewer will be required for this project. The applicant will need to work with the Township and Livingston County regarding public water and sanitary sewer. They will also need to work with the Hartland Township Department of Public Works (DPW) to acquire the necessary Residential Equivalent Units (REU) for this development.

G. Design Details
A Pattern Book with specific design details was not submitted with the Concept Plan. For a project such as this, additional design details could include information on price points, streetlights (if proposed), entry feature, common space amenities, etc.

Minimum design details are outlined in Section 3.1.18.c. and include minimum yard requirements and distance between buildings.

H. Open Space
Section 3.1.18.C requires a Planned Development to include open space; at a minimum that open space should meet the requirements of the site's previous zoning district. Historically in other residential Planned Developments, such as Walnut Ridge Estates and Fiddler Grove, the following formula was applied: a minimum of 25% (of total area of site) should be provided as open space, and of that 25%, 10% must be usable open space. Usable open space is defined as land area suitable for active recreation.

Section 3.15 states residential condominium developments (in several zoning district classifications) "open common open space shall be planned, developed, and maintained for appropriate recreational and other open space uses for the anticipated occupants of the housing."

The Preliminary PD plans should clearly identify areas counted as open space and usable open space, using different graphics, and stating the land area of each open space area, and the percentage of open space and usable open space.

For the proposed development consisting of 28.22 acres, this would equate to a minimum of 7.06 acres of open space, with a minimum of 0.706 acres of usable open space.

I. Landscaping
A landscape plan was not submitted. The Preliminary PD Site plan will be reviewed for compliance with the landscaping requirements of a Planned Development and the Zoning Ordinance, including screening/buffering from lower-density residential properties adjacent to the proposed development.

J. Exterior Lighting
A lighting plan was not submitted but will be required as part of the Preliminary PD submittal.

Recognizable Benefits
One of the eligibility criteria for a Planned Development is that it "shall result in a recognizable and substantial benefit to the ultimate users of the project and to the community and shall result in a higher quality of development than could be achieved under conventional zoning." It is not clear based on the Concept Plan whether the proposed development satisfies these criteria. It will be ultimately up to the applicant, Planning Commission, and Township Board to come to an agreement on the extent to which a recognizable benefit shall be provided for the proposed development.

Hartland Township DPW Review
The Township's Department of Public Works reviewed the plan and provided comments in the letter dated October 8, 2026.

Hartland Township Engineer's Review (Spaulding DeDecker)
Comments from the Township Engineer (SDA) are provided in the email dated September 22, 2026.

Hartland Deerfield Fire Authority Review
The Hartland Deerfield Fire Authority has provided comments in an email dated September 24, 2026.

Recommendation
No formal action shall be taken by the Planning Commission or the Township Board as part of a Planned Development Concept Plan review. The Planning Commission should provide comments to the applicant about the proposed PD Concept Plan and whether it is indicative of a plan that can and will meet the intent, design standards, and eligibility criteria of the Planned Development process.

The Preliminary PD will include significantly more detail with respect to design and engineering, landscaping, lighting, traffic impacts, wetland determinations, common space features, etc. It would be in the Applicant's best interest to provide a summary of design details (entryway feature, landscaping, amenities, common area features, etc.) as part of the Preliminary PD submittal.

Attachments:
1. Township DPW review letter dated 10.08.2026 – PDF version
2. Hartland Township Engineer (SDA) email dated 09.22.2026– PDF version
3. Hartland Deerfield Fire Authority email dated 09.24.2026 – PDF version
4. Model Renderings North Oaks PD– PDF version
5. Housing Color Palettes – PDF version
6. Concept PD Plans dated 09.15.2026 – PDF version

CC:
Spaulding DeDecker, Twp Engineer (via email)
Scott Hable, Twp DPW Director (via email)
A. Carroll, Hartland FD Fire Chief (via email)



SITE DATA

80 SINGLE FAMILY UNITS

MINIMUM LOT SIZE – 60'x 120'

SETBACKS: FRONT 25'
SIDE 7.5' / 15' TOTAL
REAR 35'

ROADWAY: 66' WIDE RIGHT OF WAY W/30' ROADWAY AND 5' WD. CONCRETE WALK

REVISIONS | DATE BY

THREE FULL WORKING DAYS BEFORE YOU DIG CALL THE MISS DIG SYSTEM 811

ZEIMET WOZNIAK Consulting Civil Engineers
5580 GRAND RIVER AVE., SUITE 100
BRIGHTON, MICHIGAN 48116
P (810) 227-9533 F (810) 227-3229 www.zeimetwozniak.com

PROJECT SPONSOR:

CONCEPT PLAN
HIGHLAND ROAD AND FENTON ROAD
HARTLAND TOWNSHIP MICHIGAN

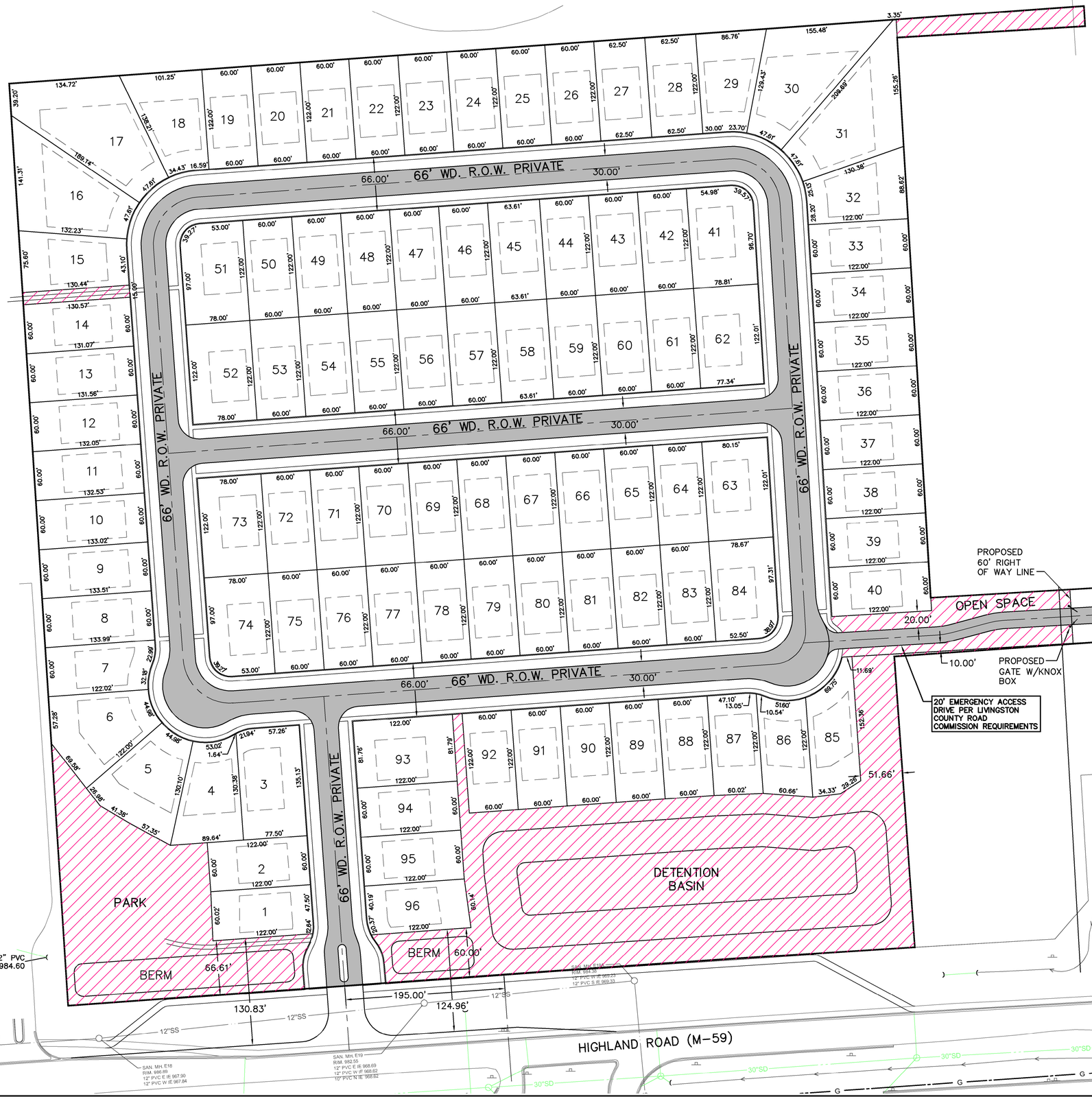
FIELD BOOK

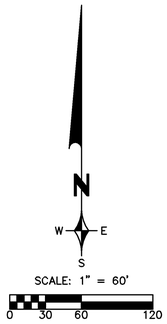
SCALE: HOR. 1" = 60'
VER. 1" =
JOB NO. 26130
SHEET NO. 2/3

DATE 5-29-26
RECHKD BY AJM
DRAWN BY PSD

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SITE DATA

96 SINGLE FAMILY UNITS

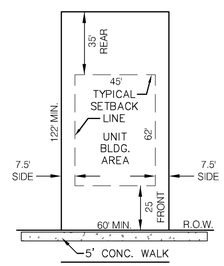
MINIMUM LOT SIZE – 60'x 122'

SETBACKS: FRONT 25'
SIDE 7.5' / 15' TOTAL
REAR 35'

ROADWAY: 66' WIDE RIGHT OF WAY W/30' ROADWAY AND 5' WD. CONCRETE WALK

OPEN SPACE:

SITE AREA	28.21 ACRES
LESS UNIT BUILDING AREA, ROADS, ACCESS DRIVE, AND DRIVEWAYS	9.91 ACRES
GREEN SPACE	18.30 ACRES (64.87%)
OPEN SPACE	4.41 ACRES



TYPICAL BUILDING SETBACK

SCALE: 1"=40'

REVISIONS	DATE	BY
ADD OPEN SPACE	11-4-26	PTG

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NORTH OAKS
HARTLAND TOWNSHIP MICHIGAN

FIELD BOOK

DATE: 10-28-26 | DESIGNED BY: AJW | DRAWN BY: PTG

SCALE HOR: 1" = 60' VER: 1" =

JOB NO. 26130

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Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Zoning Amendment #26-002 Backyard Chickens/Poultry

Date: November 9, 2026

Recommended Action
Move to recommend approval of Ordinance Amendment ZA #26-002, as presented in staff memorandum dated November 9, 2026.

Discussion

This memorandum is intended to provide some background information on a zoning ordinance amendment initiated by the Planning Commission to permit chickens on smaller parcels than what is currently permitted in the zoning ordinance. Although chickens are within the poultry family, the ordinance amendment is specific to only chickens and would not include any other form of poultry. The ordinance amendment is somewhat commonly referred to as the "backyard chicken" ordinance since chickens would commonly be in the backyard of a residential property and the ordinance amendment only applies to chickens.

Some time ago, a resident sent an email to the Planning Commission to request an amendment to the Ordinance that would permit "Backyard Chickens" on smaller lots and the structures devoted to housing chickens allowed to be closer to the property line than the current ordinance. The Planning Commission referred this matter to the Ordinance Review Committee (ORC).

The ORC has reviewed ordinances from the following communities:

-Albion, Michigan
-Ann Arbor, Michigan
-Brighton Township, Michigan
-Brighton City, Michigan
-Charlotte, Michigan
-Chelsea, Michigan
-Davison, Michigan
-East Lansing, Michigan
-North Muskegon, Michigan

The ORC has also examined suggested ordinance language from the MSU Extension office.

In addition to ordinances, the ORC has examined articles and publications on the concerns with permitting "Backyard Chickens" in residential areas. They examined the concerns of spreading diseases to neighbors, as well as any other nuisances that may be associated with backyard chickens.

The ORC also examined the Michigan Right to Farm Act, and how it applies to the raising of chickens/poultry. In particular, the requirements outlined in the Generally Accepted Agricultural Management Practices (GAAMPS) as it pertains to the raising of chickens/poultry.

Background

The current ordinance permits "fowl/poultry" in the CA (Conservation Agriculture) zoning district, provided the parcel is a minimum of 2.5 acres and all structures housing the animals must maintain a 100-foot setback. The 2.5-acre parcel would be permitted up to 50 animals, and an additional acre is required for more animals. With regard to permitting a rooster, which is often identified as a noise concern, a rooster would be permitted and subject to general noise requirements.

The ORC has proposed a draft ordinance amendment that would permit "Backyard Chickens" or poultry in all single-family residential districts. The draft ordinance would also eliminate roosters and reduce the setbacks for structures housing those animals.

Attachments:
1. Hartland Ordinance 4.10
2. Suggestions for Ordinances MSU Extension
3. Backyard Chickens – Fowl or Fair Article
4. Common concerns with backyard chickens article
5. Cluck Cluck Michigan lawmakers' article
6. Michigan Right to Farm Act
7. Care of Animals 2025 GAAMPS
8. MSU Category 4 sites under the Right to Farm
9. MSU GAAMPS
10. Draft Ordinance

4.10 KEEPING OF ANIMALS

1. Family Pets
   A. The keeping of family pets, including rabbits, fish, birds, hamsters, and other animals generally regarded as household pets is permitted as an accessory use in any zoning district which permits residential dwellings. Family Pets, as defined in Section 2.2 shall be differentiated from Exotic Animals and Domesticated Animals.
   B. The keeping of up to four (4) dogs or cats more than six (6) months in age, is an accessory use in any zoning district which permits residential dwellings.
   C. All household pets shall be maintained and accommodated in a manner so as to not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare.
   D. Kennels shall meet the standards contained in Section 4.33, Kennels.
   E. Except as allowed in this Section, it is unlawful for a person to possess, breed, exchange, buy or sell Exotic Animals as defined in Section 2.2. Excepted individuals and organizations shall be as follows: zoological parks and aquariums that are accredited by the American Association of Zoological Parks and Aquariums; wildlife sanctuaries; nature preserves; circuses; bona fide scientific, medical, or educational research facilities.
2. Domesticated Animals. Except for a farm, as defined in Section 2.2, or as superseded by the Right to Farm Act (P.A. 93 of 1981, as amended), the raising and keeping of Domesticated Animals, as defined in Section 2.2, shall be permitted only in the CA District and subject to the following conditions:
   A. Minimum lot size for cattle, equine, swine and sheep or goats shall be five (5) acres. Minimum lot size for poultry, fowl, turkeys, and geese shall be two and one half (2.5) acres. The minimum lot size for all other animals shall be determined based upon the size of the largest animal kept.
   B. The number of Domesticated Animals allowed for each acre of lot size is identified in the following table. Where there are different types of animals kept on the same parcel, the required lot size must be calculated as the combined total requirement for each type of animal (for example, one cattle, one equine and two swine require a total of six (6) acres).
   C. All lots shall be properly fenced in such a manner that no livestock, poultry or other animals will run at large.
   D. No animal waste shall be accumulated or be stored within one hundred (100) feet of a property line. No structure for housing such animals shall be located within one hundred (100) feet of a property line.
   E. Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare.

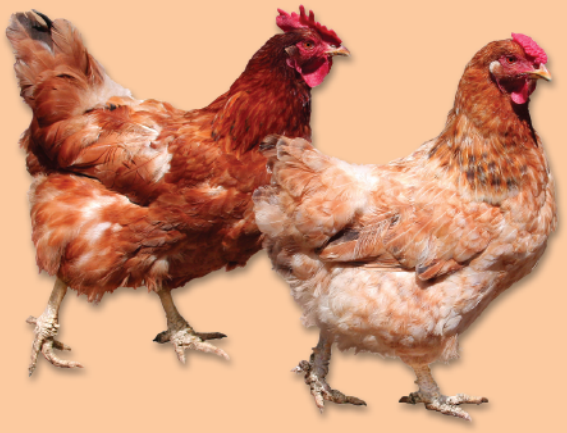
(Amended by Ord. No. 76-4D)

4.10.2.B Keeping of Animals

Type of Animal	Number of Animals Permitted on Minimum-Sized Lot	Number of Animals Permitted per Acre above the Minimum Lot Size	Minimum Lot Size
Cattle and Equine	2	2 animals/acre	5 acres
Swine, Sheep, Goats	2	2 animals/acre	5 acres
Turkey/Geese	25	25 animals/acre	2.5 acres
Fowl/Poultry	50	50 animals/acre	2.5 acres
All Others	1,000 pounds live weight per acre	1,000 pounds live weight per acre	Shall be based on the size of the largest animal kept

EXTENSION BULLETIN E-3136 • NEW • OCTOBER 2010

Suggestions for ORDINANCES *Allowing* Backyard POULTRY



Authors:
Darrin M. Karcher, Ph.D., Poultry Extension Specialist, Department of Animal Science, Michigan State University
Paul Wylie, MSU Extension Agricultural and Natural Resources Educator, Retired
R. M. "Mick" Fulton, D.V.M., Ph.D., Avian Pathologist, Diagnostic Center for Population and Animal Health

Keeping small flocks of chickens in cities is dramatically increasing. Unfortunately, there is a large gap between these new urban audiences and their knowledge of poultry husbandry. Numerous websites, books and Michigan State University Extension (MSUE) publications can provide materials to educate individuals on proper poultry management. Issues of animal welfare, neighbor annoyance concerns and environmental impacts must be considered before legislation is passed allowing these small poultry flocks to exist. The following suggestions will provide guidance on creating an environment, urban or rural, where it is reasonable for any individual to produce his or her own food or enjoy a new hobby.

- Limit the raising of chickens to single or two-famly residences only and the number of chickens to 4 to 6 per site.
- No roosters (male adult chickens) may be kept.
- Poultry should not be allowed in a residence, porch or attached garage. Chickens must be confined in a house or coop in the backyard of the residence with a minimum of 1 square foot per bird (144 square inches). An outside, enclosed run may or may not be allowed. The run should be no larger than 8 feet by 8 feet, and it should be attached to the coop. The facilities should be built to keep dogs, cats and wildlife from gaining entry.
- The poultry facility should be 5 to 10 feet from any property line and at least 10 to 20 feet from a neighboring residence.
- The owner should dispose of waste materials (feed, manure and litter) in an environmentally responsible manner. The materials can be composted or bagged and disposed of in the trash. Piling waste materials on the property is not acceptable.
- Both the process of weeding out inferior animals known as culling and mortality (death) are common occurrences when raising live animals. Poultry owners will need to deal with unwanted males, old hens or sick birds. An animal care program involving euthanasia of birds should be made available. Owners should bag and dispose of dead birds in the trash.



- The coop should be designed to discourage rodents and wild birds from entering. Owners should store all feed supplies in rodent-proof containers. They should take steps to avoid the buildup of flies and maggots by keeping litter and feed dry and promptly disposing of dead birds or waste eggs.
- The owner should control rodents by eliminating nearby hiding places (trash, weeds, and debris), trapping and baiting rats and mice on a regular basis.
- The owner must feed and water the chickens on a daily basis.
- Sales of eggs should not be allowed. Keeping hens should be for personal use and not for running a business.
- The ordinance may simply allow the keeping of laying hens if the conditions are met. A permit may be required depending on the municipality. If a permit is required, any fees should be nominal.
- The impact and spread of a disease can be reduced if households with poultry can be identified. A permit requirement will generate a list of all households with poultry allowing for a quicker response to a disease outbreak.
- For the protection of Michigan's commercial poultry industry, no such poultry holdings should be allowed within four miles of a commercial poultry operation.
- Contact Michigan Department of Agriculture to investigate the proximity to the commerical poultry industry.
- To review ordinances that have been passed in Michigan related to keeping poultry in urban and suburban settings, contact the Michigan Department of Agriculture at 517-335-5713.

MICHIGAN STATE UNIVERSITY | Extension

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Backyard Chickens – Fowl or Fair?



Most community associations will have a provision in their Bylaws or Declaration that effectively prohibits chickens from being kept in a backyard, such as "No farm animals, livestock, reptiles or exotic animals are allowed…" But some associations located in municipalities which do not ban chickens have been considering a change to their restrictions in light of a recent nationwide increase in the popularity of backyard chickens in suburban, and even urban, areas.

Before proposing such an amendment for approval by the members, an association should carefully weigh the pros and cons, as this may constitute a significant change in the association's character, among many other concerns.

Advocates of backyard chickens cite the benefits of having a friendly pet that also produces food, where you can personally ensure that the animal receives humane treatment. They want to be less reliant on factory farms and the related high level of antibiotics used in those operations, which may lead to more resistant strains of bacteria. They also believe that concerns about smell are overrated and point to the benefits of using chicken waste in compost for gardens. Chickens can also gobble up slugs and other garden pests, along with weeds.

Opponents highlight health risks as a major concern. According to the U.S. Centers for Disease Control and Prevention, since 2000, 4,794 salmonella illnesses have been linked to backyard chicken flocks in the U.S., including 894 hospitalizations and 7 deaths. And the trend of outbreaks is on the increase from year to year. Also, even though hens are not likely to wake you up at dawn like a rooster, some think hens can still cause a noise nuisance when laying eggs or squabbling with each other. In response to the claim that maintaining backyard chickens is a more humane way to obtain food, opponents will respond that chickens require constant care and suffer from new owners who don't educate themselves. Additionally, many chickens are simply abandoned after their egg-laying days are over. Finally, chickens can attract predators, such as raccoons, and pests, such as fleas, ticks, and lice.

A community that wants to allow backyard chickens would be well advised to consider the following, to begin with: (1) restricting the number of chickens equal to or less than any applicable city ordinance (common limits tend to be between three and six); (2) requiring an appropriate setback from property lines for coops; and (3) adopting architectural and maintenance standards for coops, including requirements for security of the coop and appropriate heating methods during cold weather, which will guard against fires commonly caused by inappropriate heating methods. You might also strongly suggest that residents take a course in keeping chickens and only purchase chicks from a business that can certify they are healthy. And take a close look at the city ordinance along with your experienced community association attorney.

On the other hand, if you've decided never to allow chickens in your association, just hope that nobody claims they need emotional support chickens… Google it, it's a thing.

This article first appeared in Community Association News, *published by* *The Michigan Chapter of Community Associations Institute*.

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Common concerns with backyard or urban poultry keeping

Quick facts

- Common concerns for backyard or urban poultry include disease, noise, odor, pests and waste management.
- Washing your hands before and after handling birds can help prevent disease spread.
- Always properly prepare and cook poultry products to prevent illness.
- Keeping your coop clean and free of wet feed can manage odor and pests around small flocks.

Town and city governments have common concerns when they consider requests by residents to keep poultry in urban settings. These concerns include disease, noise, odor, pests and waste management.



Poultry diseases and transmission to humans (zoonosis)

The main diseases of concern in poultry include:

- Salmonellosis
- Campylobacteriosis
- Chlamydophilosis (psittacosis)
- Avian influenza

Salmonella and campylobacter

Illness from salmonella and campylobacter typically result from eating contaminated food that is improperly cooked or prepared. Salmonella and campylobacter can exist in the bird's gut and in turn the bird's feces. Thus handling feces can be a concern. However, usually neither are present in the gut of poultry.

The number of human salmonella outbreaks from handling live poultry has increased over the years. The Centers for Disease Control (CDC) regularly update reports on current outbreaks from a variety of causes.

People, especially children, should wash their hands before and after handling live poultry to prevent disease. The CDC reports that most individuals with salmonella had handled chicks or ducklings. Of those individuals, 45 percent were children. Being aware of and educating children on proper poultry handling can help prevent salmonella illness.

- Avoid close contact with birds such as hugging or kissing—13 percent of sick patients had kissed birds.
- When handling birds, don't touch your hands to your face until you've washed them with soap and warm water; don't eat or drink around birds.
- Avoid keeping poultry inside your household—46 percent of sick patients had housed poultry inside their homes.
- Always wash your hands with warm soapy water after handling birds.
- Change your clothing and shoes after handling and caring for birds.



Washing your hands before and after handling poultry can prevent the spread of disease.

Read tips on preventing salmonella infection from the CDC's website.

Avian influenza

Avian influenza is a respiratory disease in birds that can occur from many different subtypes of influenza virus. Most subtypes don't affect humans (zoonotic). One subtype, found in Europe and East Asia, can pass from birds to humans. This subtype has not been diagnosed in people in the United States, but national and state programs exist to monitor U.S. poultry and wild birds for this subtype.

Parasites

Parasites of poultry must live on or inside the birds to survive. These parasites don't infect humans. External parasites such as the northern fowl mite, live on birds and aren't infectious for people. Intestinal parasites, such as coccidia and roundworms can live in the gut of poultry but don't infect humans, dogs or cats.

Chlamydophila

Chlamydophilosis is rarely diagnosed in domestic poultry, usually turkeys or pigeons, and is generally not a disease of chickens. Most cases of chlamydophila infection are diagnosed in psittacine birds such as parrots and only on rare occasions. Chlamydophila infection spreads after coming in contact with respiratory secretions or feces of sick birds.

Noise

- Roosters and hens vary in the noises they make. Mature roosters will crow while hens make a clucking noise.
- Clucking tends to be a soft tone, but hens can have loud alarm call if startled or threatened. These calls occur over a short time period and end when the threat is over or identified.
- Typically, chickens vocalize very little during the night time hours unless the birds become startled.
- Hens that have reproductive failures can adopt male behaviors like crowing.

Odor and manure management

- Odor occurs when poultry manure accumulates.
- A small number of birds won't produce much manure.
- Routine cleaning of the coop will prevent odor issues from arising.
- Owners can use removed bedding and manure as a fertilizer in the fresh or composted form.

Pests

- Birds, manure and feed can all attract pests to small flocks. Keeping the coop clean and properly storing feed can reduce the number of flies around flocks.
- Keep bedding dry and remove soiled bedding and wet feed.
- Cleanliness will also reduce problems with rodents such as house mice and Norway rats.
- Larger pests or predators such as foxes, raccoons and coyotes that already reside in urban areas may take an occasional chicken. However, small flocks kept in any one area are unlikely to attract and sustain any number of predators.

Sally Noll, Extension poultry scientist; Rob Porter, DVM, Extension poultry specialist; Wayne Martin, Extension educator; Todd Arnold, associate professor, College of Agricultural, Food and Natural Resource Sciences

Reviewed in 2020

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https://extension.umn.edu/small-scale-poultry/common-concerns-backyard-or-urban-poultry-keeping

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Michigan News

Cluck, Cluck! Michigan lawmakers want to say yes to backyard chickens and home studios

Thumbwind Publications Follow 5 min read · Feb 14, 2025



Michigan lawmakers push to loosen zoning laws for backyard chickens and home art businesses, aiming to boost self-sufficiency and economic opportunity.

Michigan Bills Would Ease Zoning Rules for Backyard Hens and Home-Based Art Instruction

LANSING, Mich. — **A pair of Michigan House bills, HB 4049 and HB 4050, propose changes to local zoning and right-to-farm laws that would make it easier for homeowners to keep backyard hens and operate home-based art instruction businesses without additional municipal approval.** However, both bills must pass for either to take effect.

Introduced on **January 30, 2025**, by Representatives **Jim DeSana, Greg Markkanen, Luke Meerman, and others**, the bills aim to support urban farming, home-based businesses, and property rights. While **HB 4049** amends the **Michigan Zoning Enabling Act** to permit these activities, **HB**

4050 modifies the **Michigan Right to Farm Act** to establish new state-level guidelines for raising egg-laying hens in residential areas.

The legislation faces pushback from municipalities concerned about losing local control over zoning and agricultural regulations.

Backyard Chickens: A Step Toward Self-Sufficiency



House Bill 4049 proposes that **Michigan homeowners with at least a quarter-acre of land would be allowed to keep backyard hens without needing special zoning permits.** Under the bill, property owners could have up to **five hens per quarter-acre, with a maximum of 25 hens.**

Additionally, the bill ensures that **home-based art instruction businesses would be legally protected from restrictive zoning ordinances, allowing residents to conduct fine arts and craft classes in their homes.** Local governments would still be able to regulate noise, traffic, and advertising, but they could not outright prohibit these uses.

Proponents argue the bill promotes self-sufficiency and economic opportunity, but critics worry about **increased noise, odors, and enforcement challenges.**

Home-Based Art Instruction Businesses: Expanded Opportunities

The bill also seeks to formally allow **home-based craft and fine art instruction as a permitted use within single-family residences.** While many Michigan residents already offer private lessons, local zoning ordinances sometimes create barriers, requiring variances or permits.

By defining **home-based art instruction as a legal and unrestricted activity,** HB 4049 could provide artists and educators with more economic opportunities while ensuring local governments maintain the ability to regulate secondary impacts like traffic and signage.

HB 4050: Changes to Michigan's Right to Farm Act for Urban Chickens

For HB 4049's zoning reforms to take effect, **HB 4050 must also be enacted.** This companion bill amends the **Michigan Right to Farm Act**, a law that protects agricultural operations from nuisance lawsuits if they follow **Generally Accepted Agricultural and Management Practices (GAAMPs).**

Under HB 4050, the **Michigan Commission of Agriculture and Rural Development** would be required to develop **GAAMPs for egg-laying hens in residential areas** by **October 1, 2025.** These standards would include:

- **A minimum property size of 1/4 acre for chicken keeping.**
- **A limit of five hens per quarter-acre, with a maximum of 25 hens.**
- **Environmental and public health considerations** for urban chicken-keeping.

The bill also establishes **new procedures for investigating complaints about farm operations,** ensuring that municipalities are notified of any violations while preventing frivolous complaints from burdening state regulators.

Critically, **HB 4050 reaffirms that Michigan's Right to Farm Act preempts local ordinances regulating farming activities.** This means that **municipalities would not be able to override the state's guidelines** on backyard chickens once the GAAMPs are established.

Support and Opposition: A Local Control Debate

Supporters of the bills argue that they **enhance property rights, promote food security, and remove bureaucratic barriers to home-based businesses.** By aligning state agricultural policy with modern urban farming trends, they say the legislation would give residents more control over their land.

However, **opponents argue the bills strip local governments of the ability to regulate residential agriculture and home-based businesses based on community needs.** Cities with dense populations may struggle to enforce noise, waste management, and sanitation rules if chicken-keeping becomes more widespread.

Some lawmakers also express concerns about **the potential environmental impacts of backyard flocks, such as groundwater contamination and waste disposal issues.** Others warn that the bills could lead to conflicts between neighbors over noise and odor.

Critics also worry that **expanding home-based businesses and livestock operations could create enforcement challenges, especially in denser residential neighborhoods.** Some residents fear increased traffic from art

instruction businesses, while others question whether backyard chickens could attract predators or increase the risk of disease outbreaks.

What's Next for HB 4049 and HB 4050?

The bills are currently awaiting review by the **Michigan House Committee on Agriculture.** Because **HB 4049 cannot take effect unless HB 4050 also becomes law,** both measures will need bipartisan support to advance.

The success of these bills will depend on **legislative negotiations, public opinion, and advocacy efforts from both urban farming supporters and local government associations.** If passed, the new laws would reshape Michigan's approach to residential agriculture and home business zoning.

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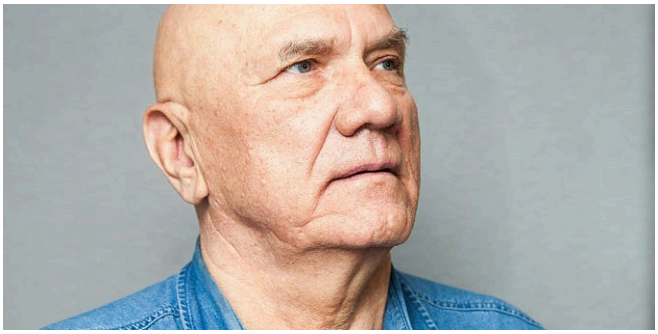
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MICHIGAN RIGHT TO FARM ACT
Act 93 of 1981

AN ACT to define certain farm uses, operations, practices, and products; to provide certain disclosures; to provide for circumstances under which a farm shall not be found to be a public or private nuisance; to provide for certain powers and duties for certain state agencies and departments; and to provide for certain remedies for certain persons.

History: 1981, Act 93, Imd. Eff. July 11, 1981;—Am. 1995, Act 94, Eff. Sept. 30, 1995.

The People of the State of Michigan enact:

286.471 Short title.

Sec. 1. This act shall be known and may be cited as the "Michigan right to farm act".

History: 1981, Act 93, Imd. Eff. July 11, 1981.

286.472 Definitions.

Sec. 2. As used in this act:

(a) "Farm" means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

(b) "Farm operation" means the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

(*i*) Marketing produce at roadside stands or farm markets.

(*ii*) The generation of noise, odors, dust, fumes, and other associated conditions.

(*iii*) The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

(*iv*) Field preparation and ground and aerial seeding and spraying.

(*v*) The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.

(*vi*) Use of alternative pest management techniques.

(*vii*) The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals.

(*viii*) The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.

(*ix*) The conversion from a farm operation activity to other farm operation activities.

(*x*) The employment and use of labor.

(c) "Farm product" means those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture.

(d) "Generally accepted agricultural and management practices" means those practices as defined by the Michigan commission of agriculture. The commission shall give due consideration to available Michigan department of agriculture information and written recommendations from the Michigan state university college of agriculture and natural resources extension and the agricultural experiment station in cooperation with the United States department of agriculture natural resources conservation service and the consolidated farm service agency, the Michigan department of natural resources, and other professional and industry organizations.

(e) "Person" means an individual, corporation, partnership, association, or other legal entity.

History: 1981, Act 93, Imd. Eff. July 11, 1981;—Am. 1987, Act 240, Imd. Eff. Dec. 28, 1987;—Am. 1995, Act 94, Eff. Sept. 30, 1995.

286.473 Farm or farm operation as public or private nuisance; review and revision of

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practices; finding; conditions.

Sec. 3. (1) A farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agricultural and management practices according to policy determined by the Michigan commission of agriculture. Generally accepted agricultural and management practices shall be reviewed annually by the Michigan commission of agriculture and revised as considered necessary.

(2) A farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation existed before a change in the land use or occupancy of land within 1 mile of the boundaries of the farm land, and if before that change in land use or occupancy of land, the farm or farm operation would not have been a nuisance.

(3) A farm or farm operation that is in conformance with subsection (1) shall not be found to be a public or private nuisance as a result of any of the following:

(a) A change in ownership or size.

(b) Temporary cessation or interruption of farming.

(c) Enrollment in governmental programs.

(d) Adoption of new technology.

(e) A change in type of farm product being produced.

History: 1981, Act 93, Imd. Eff. July 11, 1981;—Am. 1987, Act 240, Imd. Eff. Dec. 28, 1987;—Am. 1995, Act 94, Eff. Sept. 30, 1995.

286.473a Repealed. 1999, Act 261, Eff. Mar. 10, 2000.

Compiler's note: The repealed section pertained to complaints generally.

286.473b Recovery of costs and expenses.

Sec. 3b. In any nuisance action brought in which a farm or farm operation is alleged to be a nuisance, if the defendant farm or farm operation prevails, the farm or farm operation may recover from the plaintiff the actual amount of costs and expenses determined by the court to have been reasonably incurred by the farm or farm operation in connection with the defense of the action, together with reasonable and actual attorney fees.

History: Add. 1995, Act 94, Eff. Sept. 30, 1995.

286.473c Property subject to disclosure; contents of statement.

Sec. 3c. (1) Certain real property is subject to those disclosures described in section 7 of the seller disclosure act, Act No. 92 of the Public Acts of 1993, being section 565.957 of the Michigan Compiled Laws. A seller of real property located within 1 mile of the property boundary of a farm or farm operation may voluntarily make available to the buyer the following statement: "This notice is to inform prospective residents that the real property they are about to acquire lies within 1 mile of the property boundary of a farm or farm operation. Generally accepted agricultural and management practices may be utilized by the farm or farm operation and may generate usual and ordinary noise, dust, odors, and other associated conditions, and these practices are protected by the Michigan right to farm act.".

(2) Certain subdivided land is subject to those disclosures described in section 8 of the land sales act, Act No. 286 of the Public Acts of 1972, being section 565.808 of the Michigan Compiled Laws.

History: Add. 1995, Act 94, Eff. Sept. 30, 1995.

286.474 Investigation of complaints involving farm or farm operation; memorandum of understanding; generally accepted agricultural and management practices; unverified complaints; applicability of other statutes; preemption of local ordinance, regulation, or resolution; ordinance proposed by local unit of government; generally accepted agricultural and management practices for site selection and odor controls at new or expanding animal livestock facilities; advisory committee; manure management plan; duties of department; definitions.

Sec. 4. (1) Subject to subsection (2), the director shall investigate all complaints involving a farm or farm operation, including, but not limited to, complaints involving the use of manure and other nutrients, agricultural waste products, dust, noise, odor, fumes, air pollution, surface water or groundwater pollution, food and agricultural processing by-products, care of farm animals, and pest infestations. Within 7 business days of receipt of the complaint, the director shall conduct an on-site inspection of the farm or farm operation. The director shall notify, in writing, the city, village, or township and the county in which the farm or farm operation is located of the complaint.

(2) The commission and the director shall enter into a memorandum of understanding with the director of

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the department of environmental quality. The investigation and resolution of environmental complaints concerning farms or farm operations must be conducted in accordance with the memorandum of understanding. However, the director shall notify the department of environmental quality of any potential violation of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, or a rule promulgated under that act. Activities at a farm or farm operation are subject to applicable provisions of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and the rules promulgated under that act. The commission and the director shall develop procedures for the investigation and resolution for other farm-related complaints.

(3) If the director finds upon investigation under subsection (1) that the person responsible for a farm or farm operation is using generally accepted agricultural and management practices, the director shall notify, in writing, that person, the complainant, and the city, village, or township and the county in which the farm or farm operation is located of this finding. If the director identifies that the source or potential sources of the problem were caused by the use of other than generally accepted agricultural and management practices, the director shall advise the person responsible for the farm or farm operation that necessary changes should be made to resolve or abate the problem and to conform with generally accepted agricultural and management practices and that if those changes cannot be implemented within 30 days, the person responsible for the farm or farm operation shall submit to the director an implementation plan including a schedule for completion of the necessary changes. When the director conducts a follow-up on-site inspection to verify whether those changes have been implemented, the director shall notify, in writing, the city, village, or township and the county in which the farm or farm operation is located of the time and date of the follow-up on-site inspection and shall allow a representative of the city, village, or township and the county to be present during the follow-up on-site inspection. If the changes have been implemented, the director shall notify, in writing, the person responsible for the farm or farm operation, the complainant, and the city, village, or township and the county in which the farm or farm operation is located of this determination. If the changes have not been implemented, the director shall notify, in writing, the complainant and the city, village, or township and the county in which the farm or farm operation is located that the changes have not been implemented and whether a plan for implementation has been submitted. Upon request, the director shall provide a copy of the implementation plan to the city, village, or township and the county in which the farm or farm operation is located.

(4) A complainant who brings more than 3 unverified complaints against the same farm or farm operation within 3 years may be ordered, by the director, to pay to the department the full costs of investigation of any fourth or subsequent unverified complaint against the same farm or farm operation. As used in this subsection, "unverified complaint" means a complaint in response to which the director determines that the farm or farm operation is using generally accepted agricultural and management practices.

(5) Except as provided in subsection (6), this act does not affect the application of state statutes and federal statutes.

(6) Beginning June 1, 2000, except as otherwise provided in this section, it is the express legislative intent that this act preempt any local ordinance, regulation, or resolution that purports to extend or revise in any manner the provisions of this act or generally accepted agricultural and management practices developed under this act. Except as otherwise provided in this section, a local unit of government shall not enact, maintain, or enforce an ordinance, regulation, or resolution that conflicts in any manner with this act or generally accepted agricultural and management practices developed under this act.

(7) A local unit of government may submit to the director a proposed ordinance prescribing standards different from those contained in generally accepted agricultural and management practices if adverse effects on the environment or public health will exist within the local unit of government. A proposed ordinance under this subsection must not conflict with existing state laws or federal laws. At least 45 days prior to enactment of the proposed ordinance, the local unit of government shall submit a copy of the proposed ordinance to the director. Upon receipt of the proposed ordinance, the director shall hold a public meeting in that local unit of government to review the proposed ordinance. In conducting its review, the director shall consult with the departments of environmental quality and health and human services and shall consider any recommendations of the county health department of the county where the adverse effects on the environment or public health will allegedly exist. Within 30 days after the public meeting, the director shall make a recommendation to the commission on whether the ordinance should be approved. An ordinance enacted under this subsection must not be enforced by a local unit of government until approved by the commission.

(8) By May 1, 2000, the commission shall issue proposed generally accepted agricultural and management practices for site selection and odor controls at new and expanding animal livestock facilities. The commission shall adopt such generally accepted agricultural and management practices by June 1, 2000. In developing these generally accepted agricultural and management practices, the commission shall do both of

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the following:

(a) Establish an advisory committee to provide recommendations to the commission. The advisory committee must include the entities listed in section 2(d), 2 individuals representing townships, 1 individual representing counties, and 2 individuals representing agricultural industry organizations.

(b) For the generally accepted agricultural and management practices for site selection, consider groundwater protection, soil permeability, and other factors determined necessary or appropriate by the commission.

(9) If generally accepted agricultural and management practices require the person responsible for the operation of a farm or farm operation to prepare a manure management plan, the person responsible for the operation of the farm or farm operation shall provide a copy of that manure management plan to the city, village, or township or the county in which the farm or farm operation is located, upon request. A manure management plan provided under this subsection is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(10) The department shall do both of the following:

(a) Make available on the department's website current generally accepted agricultural and management practices.

(b) Establish a toll-free telephone number for receipt of information on noncompliance with generally accepted agricultural and management practices.

(11) As used in this section:

(a) "Adverse effects on the environment or public health" means any unreasonable risk to human beings or the environment, based on scientific evidence and taking into account the economic, social, and environmental costs and benefits and specific populations whose health may be adversely affected.

(b) "Commission" means the commission of agriculture and rural development.

(c) "Department" means the department of agriculture and rural development.

(d) "Director" means the director of the department or his or her designee.

History: 1981, Act 93, Imd. Eff. July 11, 1981;—Am. 1995, Act 94, Eff. Sept. 30, 1995;—Am. 1999, Act 261, Eff. Mar. 10, 2000;—Am. 2018, Act 292, Eff. Sept. 27, 2018.

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Generally Accepted Agricultural and Management Practices for the Care of Farm Animals

2025

Michigan Commission of
Agriculture & Rural Development
PO BOX 30017
Lansing, MI 48909

Michigan Department of AGRICULTURE & Rural Development

In the event of an agricultural pollution emergency such as a chemical/fertilizer spill, manure lagoon breach, etc., the Michigan Department of Agriculture and Rural Development and/or the Michigan Department of Environment, Great Lakes, and Energy (EGLE) should be contacted at the following emergency telephone numbers:

Michigan Department of Agriculture and Rural Development: 800-405-0101
Michigan Department of Environment, Great Lakes, and Energy's Pollution Emergency Alerting System (PEAS): 800-292-4706

If there is not an emergency, but you have questions on the Michigan Right to Farm Act or items concerning a farm operation, please contact the:

Michigan Department of Agriculture and Rural Development
Right to Farm Program
P.O. Box 30017
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LAYING CHICKENS

MANAGEMENT OVERVIEW

Nearly all commercial egg-laying hens are kept in indoor housing with light control, power ventilation and mechanical feeding and watering systems. Indoor housing systems vary from a few birds per house to more than 100,000 birds per house.

There are different types of laying hen housing systems used in the U.S. Conventional cage systems consist of a cage of 6-7 hens outfitted with water and feed resources, allow limited walking, and room for hens to stand, sit, rest, and turnaround. Enriched cage systems are larger cages housing on average 60 hens, offer more room for hen movement, and in addition to water and feed, provide nest, perch, and scratch areas to accommodate hen behavior. Commercial flocks may also utilize a variety of cage free (indoor), free range (indoor with access to the outside range area), .or pasture-based housing systems (fully outdoor on pasture with shelter).

By the end of 2022, 34.1% of the U.S. commercial layer flock were dedicated to cage-free egg production (USDA NASS, 2022). Cage free housing can be of different design configurations including 1) multi-tiered aviaries with litter floors, 2) slatted floor platforms positioned over manure removal belts, 3) partially slatted systems with a litter floor area and raised slatted platform where manure drops through to a pit below, and 4) single level all litter floor systems (see description of housing types in United Egg Producers (UEP) Cage Free Guidelines, 2024). Smaller commercial flocks may use free range housing that provide small areas of fenced open ground or pasture that is coupled with indoor housing containing nests, perching areas, food and water, and a bedded floor. The flock is typically shut into the housing during the night to avoid predation. Pasture based systems provide full outdoor access on forage covered ground coupled with fencing and sheds to provide shelter during inclement weather and protection from predators. The housing systems for raising pullets (immature laying hens) will vary depending on the type of adult layer housing system the bird will be placed at maturity.

Using sound practices for managing egg laying flocks within the housing systems in which they are raised can reduce the probability of generating complaints from neighbors and result in a healthy and productive flock.

MANAGEMENT PRACTICES

Nutrition: Meeting bird nutritional requirements for their stage of physical development and production is an important aspect of keeping birds healthy and avoiding unwanted mortality. Feed and clean water shall be available to the birds and when new birds are placed in the system, care must be taken to ensure that the birds find the feed and water resources. Knowing that all birds do not feed or drink at the same time, an average of 2.2 inches of feeder space and 1 inch of trough watering space per bird is acceptable for

most systems but may vary based on bird type. A maximum of 20 hens per mechanical water cup or nipple drinker is recommended (UEP 2017; 2024). During periods of high environmental temperatures, fewer birds per cup or nipple drinker is recommended.

Laying hens normally enter a natural molt period after 8 -12 months of producing eggs, and therefore, it is considered sound management for commercial flocks to induce or synchronize this molt so that all the birds molt at the same time (Glatz and Tilbrook, 2020). Benefits of molting for individual hens are improved feather cover and the loss of excess body weight, the latter of which is a health issue, and a return to egg production (Glatz and Tilbrook, 2020; Akbari et al.2018; Nicol et al. 2017; McGowan et al. 2006). Not all commercial egg producers or small flock managers conduct an induced molt on their flocks. For producers who do induce molts, a recommended molt induction program typically places the hens on a specialized dietary regime for a period of time allowing the birds a rest from egg production and physiological rejuvenation (Koch et al. 2007; Mazzuco and Hester 2005). As a result of this molting program, the birds' productive life will be prolonged for at least another flock cycle. Induced molting programs that engage feed and/or water withdrawal or use highly unpalatable feed causing birds not to eat are prohibited by animal welfare certifying organizations including the UEP and not scientifically justified (Glatz and Tilbrook 2020; UEP 2017, 2024). Poorly conducted induced molting can cause a substantial increase in bird culling, mortality and creates the need for excess carcass disposal.

Stocking Density: Regardless of the type of housing or system of management used, all birds should have sufficient freedom of movement. Depending on the type of bird minimum space allowance in a conventional cage system (until January 1, 2025) should be in the range of 67 to 86 square inches of usable space per bird or 1.0 to 1.5 square ft of useable floor space per bird in cage free housing systems, for white leghorn type and brown strains respectively (see United Egg Producers 2024). Commercially labeled organic egg producers are required to follow the USDA National Organic Program standards (see https://www.ams.usda.gov/rules-regulations/organic) which sets feeding, care and housing standards for livestock and poultry. At this time proposed rules for the stocking density for organic egg production have not been finalized. The status of these rules can be checked at https://www.ams.usda.gov/rules-regulations/proposed-rules?page=3.

Rooster Management: Small commercial flocks may employ the use of roosters for the purpose of fertilized egg production, hen protection (pasture or free-range) from predation, and mitigating the social dynamic of the hen flock. When these flocks are located close to neighbors or in close proximity to a populated area, rooster crowing can present a sound nuisance to neighbors. Roosters crow for a variety of reasons including claiming and protecting territory, asserting dominance, and emitting alarm calls for predators from the ground and air (Jacob 2023). Implementing proper management practices may assist in minimizing but not eliminating crowing. Excessive crowing can be precipitated by stocking the incorrect ratio of roosters to hens. One recommended ratio is 1 rooster to 4 -10 hens depending on the breed of chicken. Devices have been developed to restrict a rooster’s ability to crow such as a crow collar or rooster box. Crow

collars reduce the ability of roosters to fully fill their air sacs and dampens but does not extinguish the crow. Crow collars require an abundance of caution when used. They must be properly fitted, observed, and managed or they can result in the death of the rooster. A rooster box is a small, darkened box or cage with a low ceiling that prohibits a rooster from fully extending its head and neck upward to emit a crow. Roosters are placed into the box for the night and let out well after sunrise so as not to wake neighbors. Both methods are considered an impingement of the rooster's welfare and discouraged from use. Egg production can be successfully accomplished using lighting strategies (artificial or natural) that stimulate egg production in hens without the introduction of roosters into the flock (Jacob 2023).

Beak Trimming and Comb Dubbing: Due to the predisposition of chickens toward feather picking, the tip of the beaks of domestic birds can be trimmed to prevent outbreaks of cannibalism and aggressive forms of pecking that cause increased mortality within a flock. Beaks may be trimmed using a hot blade knife or by rounding the end of the beak using infra-red technology. . No more than 1/3 of the upper beak should be removed and less than 1/3 is more desirable. Removing more than 1/3 is painful and interferes with a bird's ability to eat. Trimming or conditioning of the beak tip must be conducted by properly trained workers and should be done at prescribed times, usually in young chicks prior to 10 days of age. More detailed guidelines on acceptable methods of beak trimming and beak tip conditioning are available in the United Egg Producers Guidelines for caged and cage-free laying hens (UEP 2017; UEP 2024). Depending on strain or breed of poultry, smaller flock managers may choose to forgo beak trimming or conditioning. If well-managed and observant of flock behavior, injurious pecking and cannibalism can be minimized.

Partial removal of the comb at one day of age is called dubbing and has been widely practiced especially for breeds or strains of hens with large combs. Dubbing is conducted at the hatchery before the shipment of the chicks. Similar to molting practices, some commercial producers and small flock managers may choose not to comb dub depending on the breed or strain of hen. In laying hen strains that develop large combs, dubbing can reduce injury and bleeding caused by social contact with their flock mates, as well as cuts and abrasions sustained from contact with housing equipment during feeding and drinking. However, combs and wattles on laying hens have an important thermoregulatory function to assist in dissipating heat during periods of hot weather (AL-Ramaneh et al. 2016). Heat stress is a leading cause of poultry mortality during periods of extreme heat. If comb dubbing or wattle removal is a routine flock management practice, then attention to providing hens with water, cooling ventilation, and other heat mitigation strategies during periods of high heat must be considered.

Transportation to Slaughter: Safety and comfort of the birds are of prime importance when transporting culled or spent hens (end of production life). Poultry in transit should be provided with proper ventilation according to the prevailing environmental conditions. Clean, sanitized vehicles and equipment are important to avoiding the transfer of disease. A floor surface area within the transport container that allows all birds to rest

comfortably on the floor at the same time minimizes hens piling on top of each other and smothering.. A delay or cancellation of transport should occur for birds that are unhealthy, dehydrated, or exhausted and unfit to withstand travel. Detailed guidelines for the handling and transport of laying hens are available in the United Egg Producers Guidelines (2024).

Chick delivery: The day-old chick delivery vehicle should have the capability of maintaining a uniform temperature of 75˚F (24˚C) to 80˚F (27˚C) regardless of ambient temperature (Yerpes et al. 2021). Air circulation must always be maintained around all chick boxes regardless of their location in the vehicle. The vehicle should not stop from the time it is loaded until it reaches its destination. Provisions for maintenance of proper ventilation and temperature control should be provided in case of vehicle's mechanical failure or any other unforeseen vehicle stop(s). The transportation vehicle should be properly cleaned and sanitized between deliveries to avoid the spread of disease These conditions are applicable to commercial and noncommercial delivery of chicks.

Adult poultry delivery: The recommendations for transporting culled hens (see above) also apply to the transport of pullets to new housing to begin egg production. When adult poultry are transported, adequate ventilation, space and flooring should be provided. Laying hens have been found to return to be resilient to transport stress if provided with adequate transport conditions and fit for travel (Lalonde et al. 2021).

Extreme weather conditions and microclimatic conditions within the transport vehicle have been determined as a common cause of transportation death in poultry (Vercekova et al. 2019). Hot weather is a time for particular caution. The birds should be protected from heat stress by being shaded and/or moved during the dark hours. Prompt unloading and/or auxiliary ventilation is essential when the birds reach their destination.
During transportation in cold weather, birds should be protected by use of windbreaks, partial covering, etc. taking care that ventilation must always be adequate.

RECOMMENDATIONS FOR ENVIRONMENT

Ventilation and Lighting: Ventilation in the layer house should provide a healthy level of moisture, gases and temperature maintained without drafts or dead air pockets.

Lighting has been found to affect bird development and ability to maneuver in cage-free housing conditions (Chew et al. 2021). Inability to navigate house conditions can result in injury and increased culling and mortality. Lighting should also be provided to allow effective inspection of all the birds and sufficient light for the birds to locate where to eat and drink. Light intensity within the house should be no less than 0.5 foot candles during the daily light period of at least 8 hours and no more than 18 hours of continuous light. And natural daylight and length for birds living in open houses (open sided barns or barns using skylights/windows) or pastured birds.

FACILITIES AND EQUIPMENT

Housing: The design, construction and management of a poultry housing system must meet the birds' need for shelter against undesirable environmental conditions such as extreme cold, excessive heat, rain and wind and modify these climatic conditions to conform to an adequate environment for laying hens. They shall be constructed to minimize transmission of disease, parasites and other vermin infestation and optimize the principles of disease prevention. And protect birds from predation from land or aerial predators. The housing should allow for daily visual inspection and care. Michigan Public Act No. 117 of October 12, 2009 requires all commercial egg laying hens be housed so that they are able to fully extend their limbs and turn around freely and eggs may no longer be sold from conventional caged systems by January 1, 2025 according to Michigan Public Act No. 132 (http://www.legislature.mi.gov/documents/2019-2020/publicact/htm/2019-PA-0132.htm). Hens may be housed in a variety of housing arrangements such as aviary, single tier systems or decked systems with a minimum of 1 square foot of useable floor space per hen (see description of cage-free, free-range and pasture housing provided in the introduction).

Housing in cages: Cages shall be designed, constructed, and maintained to avoid injury to the birds and allow bird comfort and health. The cages must be so constructed as to allow the safe placement and removal of birds. Cage height shall allow a minimum of 14 inches with a floor slope not to exceed 8.5 degrees (UEP 2017). Conventional battery cage systems will be eliminated as a housing option in Michigan by January 12025 (http://www.legislature.mi.gov/documents/2019-2020/publicact/htm/2019-PA-0132.htm).

Housing on floors: All flooring shall be designed, constructed, and maintained to avoid injury and allow comfort and health to the birds. More complete guidelines for design of floor space, nesting area, perches, placement of feed and water, and litter management are available in the United Egg Producers Guidelines (UEP 2017; 2024) or other standards set by certification bodies for special label marketing purposes and meet the requirements of MI PA117 and 132. Litter on the floor is used as a bedding substrate (wood shavings, grain hulls, etc.) to absorb excreta, provides soft landing for hens in multi-tiered systems, and serves as an area to perform behavior including dustbathing and foraging. It is important to periodically check the litter to ensure it’s in a friable dry condition. Wet caked litter fosters ammonia production and gas emissions that may produce noxious odor creating a potential nuisance. Poor litter conditions have been linked to behavioral (Schreiter and Freick, 2023) and health issues (Bist et al. 2023) in laying hens and humans at levels > 25 ppm. However, litter that is too dry and dusty also presents issues with particulate matter emissions. Ideally litter should have some moisture and it is generally recommended to be at ~25% moisture.

Litter can be checked by observing the floor for caked and wet spots. Litter friability can be estimated by picking up the litter in a gloved hand and squeezing it into a ball. The litter should lightly hold together then fall apart after squeezing. If the litter compacts into a tight ball and does not fall apart after opening the hand (in the extreme it drips liquid when squeezed) it is considered to be wet and capable of producing ammonia.

Recommendations for litter management can be found at: https://www.udel.edu/academics/colleges/canr/cooperative-extension/fact-sheets/managing-built-up-litter/.

Housing for Pullets: Some commercial egg producers may raise their own pullets (immature laying hen) for placement into layer housing. Pullets may begin egg production around 17-19 weeks of age depending on breed or strain. During this critical stage of growth, it is important for pullets to develop their physical and behavioral abilities that enable them to successfully navigate the layer house environment after placement, especially aviary or other multi-tiered cage-free housing systems (Liu et al. 2018; Kozak et al., 2016; Tahamtani et al. 2015). Research indicates that pullets raised in caged environments then placed into cage-free housing take longer to learn how to navigate the system, take longer to find resources on multiple tiers, and can sustain injuries (Pullin et al. 2022; Ali et al. 2019; Casey-Trott et al., 2017a; Regmi et al 2017; Regmi et al. 2015). Therefore, pullet housing should include similar features and resources the young hens will encounter when placed into the layer house including perches and other elevated structures and litter or other floor substrate after 4 weeks of age. The provision of litter or other floor substrate like chick paper (Tahamtani et al. 2016; Gilani et al. 2013) encourages foraging behavior, reduces the development of feather pecking, and promotes better feather condition (see review by Janczak and Riber, 2015).

Recommendations for pullet housing may be found in the United Egg Producers 2024 Guidelines for Cage Free production or refer to guidelines and standards for organic or other specially certified production. Providing pullets with early exposure to features of the adult housing system assists with successful navigation of complex cage-free environments and decreases bird injuries that can lead to higher mortality or culling rates necessitating greater carcass disposal.

Maintenance: When mechanical systems are utilized for feeding, watering, ventilating, egg collecting, manure removal, etc., properly trained personnel shall regularly check the operation of these systems and adjust and maintain them when necessary to prevent injury to the birds and maintain the health and comfort of the laying hens. All aspects of the housing facility must be checked regularly to assure both the structure and systems are operating correctly. Breakdowns or equipment failures can be responsible for unexpected bird mortality or culling causing increased disposal of dead birds.

Cleaning of poultry houses: Poultry houses should be cleaned periodically to provide a healthy environment for the birds by preventing disease, and higher gas and particulate matter emissions. The length of time between cleaning depends upon the type of housing, mechanical systems installed, removal of birds from the house and other factors peculiar to each individual farm. Typically, cleaning is done in the time period after culling of the old flock and before the arrival of the new flock. Manure management should conform to the recommendations presented in the current Right to Farm Practices (see current year Michigan Manure Management and Utilization GAAMP). Failure to implement good manure management practices can generate smells and increased fly

nuisance complaints from neighbors and contribute to poor environmental conditions leading to health problems for hens.

HEALTH CARE AND MEDICAL PROCEDURES

Optimal management practices are essential to maintain good health status in the egg production facilities and should be in consultation with a veterinarian. A program of disease prevention and control should be established for both conventional and organic production programs.

Only federally approved medications and vaccines shall be used, following label directions in accordance with state and federal regulations.

Pharmaceutical Use:
To ensure continued human and animal food safety, the US Food and Drug Administration (FDA) Center for Veterinary Medicine (CVM) has developed a 5 year Veterinary Stewardship Plan designed to slow the emergence of antimicrobial resistance that can arise from the use of antibiotics in animals while ensuring safe and effective use of medically important antibiotic use in animals and humans. Medically important antibiotics include cephapirins, gentamicin, lincomycin, oxytetracycline, penicillin G procaine and benzathine, sulfadimethoxine, sulfamethazine and tylosin, are important to both human and animal health. The intent of this legislation is to ensure that these drugs are used under veterinary supervision, reducing the chance for antimicrobial resistance in humans.

As of June 11, 2023, the FDA expects that all over the counter (OTC) medically important antibiotics in dosage forms such as injectable, intramammary, and boluses, approved for use in animals (both food-producing and companion), will require a prescription from the veterinarian with whom they have a valid VCPR to purchase the drugs. The following statement will be included on the label ***"Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian".***

It is imperative that those engaged in raising livestock and poultry for human consumption understand the prudent and legal use of pharmaceutical products. To help ensure that health and welfare of livestock and poultry and the safety of food they produce for the public, a veterinary-client-patient relationship (VCPR) is highly recommended. In most cases, a valid VCPR is mandatory for acquiring and using pharmaceutical products in food producing animals i.e. veterinary feed directive and medically important antimicrobial drugs. Michigan currently follows the federal definition for a VCPR which states that a VCPR is considered valid if the following is observed (Code of Federal Regulations 530.3) (http://www.fda.gov/AnimalVeterinary/DevelopmentApprovalProcess/ucm460406.htm):

1. A veterinarian has assumed the responsibility for making medical judgments regarding the health of (an) animal(s) and the need for medical

treatment, and the client (the owner of the animal or animals or other caretaker) has agreed to follow the instructions of the veterinarian;

2. there is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s); and,
3. the practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. Such a relationship can exist only when the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept.

Euthanasia: Animals that are seriously injured or ill and show no promise for recovery should be euthanized immediately. Farmers should consult with their veterinarian to determine the options and guidelines for euthanizing such animals in accordance with practices outlined by the American Vet Medical Association (AVMA) Guidelines on Euthanasia (American Veterinary Medical Association, 2020) and state law.

Depopulation: AVMA definition of the term depopulation refers to the rapid destruction of a population of animals in response to urgent circumstances with as much consideration given to the welfare of the animals as practicable. Farmers should consult with their veterinarian to determine the options and guidelines for depopulation such animals in accordance with practices outlined by the American Vet Medical Association (AVMA) Guidelines on Depopulation (American Veterinary Medical Association, 2019 Edition) and state law.

Dead Animal Disposal: Whether there is an individual animal or mass depopulation of animals, each farm should have a plan on file to manage animal tissue, whole carcasses, or portions thereof, must be disposed of according to the Michigan Bodies of Dead Animal Act, Act 239 of 1982, Amended Act No. 311, Public Acts of 2008, December 18, 2008.

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BROILERS, TURKEYS, AND GAMEBIRDS

MANAGEMENT OVERVIEW

Nearly all commercial turkeys and commercial broiler facilities are kept in confinement housing with light control, power ventilation and mechanical feeding (National Chicken Council https://www.nationalchickencouncil.org/policy/animal-welfare/). Commercial gamebirds facilities, along with small farm hobby and backyard flocks, utilize a wide variety of free range and/or confinement shelters and housing (see small flock turkey production at https://extension.psu.edu/small-flock-turkey-production; see https://dodge.extension.wisc.edu/files/2012/02/Avian-QB-Manual.9.Game-Birds1.pdf or http://extension.msstate.edu/agriculture/livestock/poultry/game-birds-and-ratites).

These GAAMPs are intended to assist the broiler, turkey, and gamebird producer in attaining and maintaining a high quality of bird comfort and well-being in broiler, turkey, and gamebird production facilities and will focus on the birds' basic requirements.

MANAGEMENT PRACTICES (INCLUDING TRANSPORTATION)

Nutrition: Feed and clean water should always be available to the birds and when new birds are placed in the housing system, care must be taken to ensure that the birds find the feed and water sources to reduce early morbidity and mortality. Birds should be fed a feed that is appropriate for the stage of life of the particular species and formulated for that species. Commercial turkeys typically are raised on 6 to 7 different diets starting with a 28 percent protein content in the feed and ending with a 16 percent protein in the feed. Commercial broilers typically are fed two, sometimes three different diets in their production period In situations where high environmental temperatures can be encountered, additional water space per bird is recommended. See the National Research Council (1994) Nutrient Requirements for Poultry or the practical Cooperative Extension Service publications/websites that cover gamebird raising and production such as https://www.aces.edu/blog/topics/farming/feeding-game-birds-pheasant-quail-and-partridge/).

Beak trimming and specs: Due to the temperament of chickens, turkeys, and gamebirds toward feather picking, fighting and cannibalism, the beaks of birds can be trimmed to remove their sharp tips as an aid in prevention of these actions. Commercial broiler chickens typically do not require beak trimming or conditioning unless they are members of the breeding flock. Trimming should be done by properly trained workers and should be done at the prescribed times, generally at the hatchery. In addition, specs or blinders may be attached to the beak of the bird so that the birds can see to the right or left, but not straight ahead. This should be done by properly trained workers and should be done when the birds are of sufficient age to readily find the feed, water, and other visual environmental necessities.

Toe trimming: Due to the tendency of turkeys to inflict bodily damage upon each other with their toenails in commercial confinement housing, one or more toenails (generally the inside and middle toes on both feet) may be removed. Toe trimming should be conducted by properly trained workers and is generally completed at the hatchery. The procedure lowers the incidence of severe scratching and lacerations that can become infected causing higher morbidity or in extreme cases death (Schwean-Lardner 2018).
Transportation: Safety and comfort of the animals are of prime importance when transporting live poultry and gamebirds. When poultry and gamebirds are transported, they should be provided with proper ventilation for the conditions, and clean sanitized vehicles and equipment. A delay or cancellation of transport should occur for birds that appear unhealthy, dehydrated, or exhausted and unfit to withstand travel.

Chick and poultry delivery: The day-old chick and poultry delivery vehicle should have the capability of maintaining a uniform temperature of 75˚F (24˚C) to 80˚F (27˚C) regardless of ambient temperature. Air circulation must always be maintained around all chick-poultry boxes regardless of their location in the vehicle. The vehicle should not stop from the time it is loaded until it reaches its destination. Provisions for maintenance of proper ventilation and temperature control should be provided in case of vehicle's

mechanical failure or any other unforeseen vehicle stop(s). The transportation vehicle should be properly cleaned and sanitized between deliveries.

Adult poultry and gamebird delivery: When adult poultry and gamebirds are transported, adequate ventilation, space and flooring should be provided. Hot weather is a time for particular caution. The birds should be protected from heat stress by being shaded and/or moved during the dark hours. Prompt unloading and/or auxiliary ventilation is essential when the birds reach their destination. During transportation in cold weather, birds should be protected by use of windbreaks, partial covering, etc. Ventilation must always be adequate.

Range rearing: The growing of chickens, turkeys, and gamebirds in range pens, after the brooding period, is an accepted practice and may be the system of choice, especially for several species of gamebirds. Range reared birds should have adequate space (see references) as well as protection from extremes in climatic conditions, predators and disease inherent with this growing system.

RECOMMENDATIONS FOR THE ENVIRONMENT

Ventilation and lighting: Ventilation in the grower house shall be such that a healthy, acceptable level of moisture, gases, dust, and temperature is maintained without drafts or dead air pockets (National Chicken Council, 2022). The ventilation system should be adjusted daily, or more often, as the environmental conditions dictate.

Lighting should be provided to allow effective inspection of all the birds and sufficient light for the birds to eat and drink. Light intensity within the house should be a minimum of 0.4 foot candles.

The housing should provide shelter from disturbing noises, strong vibrations, or unusual stimuli, regardless of origin.

FACILITIES AND EQUIPMENT

Housing: The design, construction and management of a poultry housing system should meet the birds' need for shelter against undesirable environmental conditions such as extreme cold, excessive heat, rain and wind and modify these climatic conditions to conform to an adequate environment for broilers, turkeys, and gamebirds. They shall be constructed to minimize transmission of disease, parasites and other vermin infestation and optimize the principles of disease prevention. The housing should also protect the birds from all forms of predators and allow for daily visual inspection and care.

Broilers: Brooding and growing space requirements and water and feeder space should conform to the general needs as outlined in the particular broiler company's management guide, if applicable, e.g., Cobb's Broiler Management Guide (2021), National Chicken Council (2022) or Ross Broiler Management Guide (2018).

Turkeys: Brooding and growing space allowances and feeder and water space for turkeys should conform to the general needs as outlined by National Turkey Federation (2021) or Aviagen Turkey Management Guidelines (2021).

Gamebirds: Brooding and growing space allowances and feeder and water space for gamebirds should conform to the general needs Cooperative Extension resources are available for guidance on brooding and growing facilities for game birds (see https://dodge.extension.wisc.edu/files/2012/02/Avian-QB-Manual.9.Game-Birds1.pdf or http://extension.msstate.edu/agriculture/livestock/poultry/game-birds-and-ratites).

Litter: Many different types of litter can be used (wood shavings, rice hulls, etc.). All litter must be dry and friable and loosely compact when squeezed in a gloved hand (National Chicken Council, 2022) and of acceptable quality. It is acceptable to reuse litter for several successive flocks if ammonia and insects are controlled and there has been no disease outbreak.

Manure management should conform to the recommendations presented in the current Right to Farm Practices (Michigan Manure GAAMPs).

HEALTH CARE AND MEDICAL PROCEDURES

Optimal management practices are essential to maintain good health status in the production facilities and may be in consultation with a licensed veterinarian. A program of disease prevention and control should be established, including producers participating in organic production programs. Only federally approved medications and vaccines shall be used, following label directions in accordance with state and federal regulations.

Pharmaceutical Use: To ensure continued human and animal food safety, the US Food and Drug Administration (FDA) Center for Veterinary Medicine (CVM) has developed a 5 year Veterinary Stewardship Plan designed to slow the emergence of antimicrobial resistance that can arise from the use of antibiotics in animals while ensuring safe and effective use of medically important antibiotic use in animals and humans. Medically important antibiotics include cephapirins, gentamicin, lincomycin, oxytetracycline, penicillin G procaine and benzathine, sulfadimethoxine, sulfamethazine and tylosin, are important to both human and animal health. The intent of this legislation is to ensure that these drugs are used under veterinary supervision, reducing the chance for antimicrobial resistance in humans.

As of June 11, 2023, the FDA expects that all over the counter (OTC) medically important antibiotics in dosage forms such as injectable, intramammary, and boluses, approved for use in animals (both food-producing and companion), will require a prescription from the veterinarian with whom they have a valid VCPR to purchase the drugs. The following statement will be included on the label ***"Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian".***

It is imperative that those engaged in raising livestock and poultry for human consumption understand the prudent and legal use of pharmaceutical products. To help ensure that health and welfare of livestock and poultry and the safety of food they produce for the public, a veterinary-client-patient relationship (VCPR) is highly recommended. In most cases, a valid VCPR is mandatory for acquiring and using pharmaceutical products in food producing animals i.e. veterinary feed directive and medically important antimicrobial drugs. Michigan currently follows the federal definition for a VCPR which states that a VCPR is considered valid if the following is observed (Code of Federal Regulations 530.3) (http://www.fda.gov/AnimalVeterinary/DevelopmentApprovalProcess/ucm460406.htm):

1. A veterinarian has assumed the responsibility for making medical judgments regarding the health of (an) animal(s) and the need for medical treatment, and the client (the owner of the animal or animals or other caretaker) has agreed to follow the instructions of the veterinarian;
2. there is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s); and,
3. the practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. Such a relationship can exist only when the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept.

Euthanasia: Animals that are seriously injured or ill and show no promise for recovery should be euthanized immediately. Farmers should consult with their veterinarian to determine the options and guidelines for euthanizing such animals in accordance with practices outlined by the American Vet Medical Association (AVMA) Guidelines on Euthanasia (American Veterinary Medical Association, 2020) and state law.

Depopulation: AVMA definition of the term depopulation refers to the rapid destruction of a population of animals in response to urgent circumstances with as much consideration given to the welfare of the animals as practicable. Farmers should consult with their veterinarian to determine the options and guidelines for depopulation such animals in accordance with practices outlined by the American Vet Medical Association (AVMA) Guidelines on Depopulation (American Veterinary Medical Association, 2019 Edition) and state law.

Dead Animal Disposal: Whether there is an individual animal or mass depopulation of animals, each farm should have a plan on file to manage animal tissue, whole carcasses, or portions thereof, must be disposed of according to the Michigan Bodies of Dead Animal Act, Act 239 of 1982, Amended Act No. 311, Public Acts of 2008, December 18, 2008.

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Category 4 sites under the Right to Farm Act Site Selection GAAMP

Brad Neumann<neuman36@msu.edu>, Michigan State University Extension - April 25, 2025

Updated from an original article written by Kurt H. Schindler.

> Site Selection GAAMP provides local authority to permit livestock keeping in primarily residential areas



Category 4 sites are “primarily residential” and allow local government regulation of livestock facilities. Photo by Mary Reilly

Michigan enacted the Right to Farm Act (RTFA) (MCL 286.471 *et seq.*) in 1981 to protect farms from nuisance claims from non-farm neighbors. It is codification of the principle that a farm should get protection from suits from those who choose to live near farms. It protects farms even if they change their operation, grow different crops or livestock, expand, and more. New farms, if they follow Generally Accepted Agricultural and Management Practices (GAAMPs), also receive this protection. In 2000, the Michigan Legislature amended the RTFA to severely restrict local government from regulating farms. The act reads:

"…any local ordinance, regulation, or resolution that purports to extend or revise in any manner the provisions of this [Right to Farm] act or generally accepted agricultural and management practices developed under this act. Except as otherwise provided in this section, a local unit of government shall not enact, maintain, or enforce an ordinance, regulation, or resolution that conflicts in any manner with this act or generally accepted agricultural and management practices developed under this act."

(BRACKETS ADDED, MCL 286.474(6))

To learn more about RTFA preemption of local ordinances, read another article from Michigan State University Extension, "Right to Farm Act can preempt local regulation authority, but not all local regulations."

The Michigan Commission of Agriculture and Rural Development annually updates the GAAMPs, considering advances in farm management best practices and changes in agriculture related consumer sentiment and community interests. For instance, while there is current interest in urban agriculture, backyard poultry, and access to fresh local food, there is also public opinion that farm animals should not exist in an urban or suburban setting where there are otherwise no or few other agricultural activities.

An amendment in 2014 to the "GAAMPs for Site Selection and Odor Control for New and Expanding Livestock Facilities" (Site Selection GAAMP) allows for some local governments to be able to accommodate small livestock farms through local ordinances, if desirable. In other words, urban and suburban communities can develop a local solution that works best, incorporating the opinions of local residents and policy makers.

The Site Selection GAAMP defines four categories of sites relative to the siting of livestock facilities. Category 1 sites are locations that have been traditionally used for agricultural purposes and are in an area with a relatively low residential housing density. These are locations where very large animal operations can locate. Category 2 sites have more non-farm residences in the rural neighborhood, thus additional technologies and management practices could be needed to make livestock facilities acceptable in the

areas. Category 3 sites are locations that are not generally acceptable for new and expanding livestock facilities of 50 animal units or greater because of environmental issues or the distance and density of non-farm residences.

An animal unit is the number of animals equivalent to one slaughter and feeder cattle. Depending on the animal, 50 animal units are proportionate based on a number of factors. For example, 50 animal units means 125 swine, 500 sheep and lambs, 25 horses, 2,750 turkeys, 5,000 laying hens or broilers.

Category 4 sites are locations that are not acceptable for livestock unless a local government ordinance provides for it. Category 4 sites are locations that are "primarily residential," that is there are more than 13 non-farm residences within 1/8 mile of the site or any non-farm residence within 250 feet (as measured from the livestock enclosure), according to the Site Selection GAAMP.

In other words, livestock facilities in "primarily residential" locations are not necessarily banned from those locations, rather the decision as to if it is an appropriate location is shifted from the state, through GAAMPs, to the local government to determine. If a property is determined to have a Category 4 site, compliance with the Site Selection GAAMP is not possible at that site, so RTFA will not preempt the local ordinance. At a Category 4 site, livestock is only permissible if allowed by local ordinance.

In addition to this article, related Michigan State University Extension articles include:

- Focus on community food, local food and the small farmer: Changes to Site Selection GAAMP mean communities have greater opportunity to plan for food systems
- Community food system policy-development resources for local government
- Right to Farm Act can preempt local regulation authority, but not all local regulations
- Court clarification on Right to Farm and local regulation

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GAAMPS

What are GAAMPs?

Mandated by the Michigan Right-to-Farm Act (Act 93 of 1981, as amended), generally accepted agricultural and management practices (GAAMPs) are written standards providing uniform, science-based standards and acceptable management practices. Producers can compare their current management routines to the GAAMPs or use them as a guide for improving management practices.

Who should be aware of the GAAMPs?

The GAAMPs for farm animal care are intended for use by the livestock industry and other groups concerned with animal welfare in Michigan. The GAAMPs can also be used as a teaching tool for promoting humane animal husbandry and care practices.

What do the GAAMPs for farm animal care cover?

The GAAMPs for farm animal care address animal husbandry practices (system of care permitting animal growth, maturity, reproduction and healthiness) and environmental variables such as physical surroundings, nutrient intake, and social and biological interactions. Environmental conditions should support profitable performance and minimize disease, death loss and behavioral problems. Housing, space concentrations, pests, nutrition and availability of water should be managed. In all cases, the animal's nutritional needs for health and well-being must be met. The GAAMPs also provide recommendations for health care and procedures including euthanasia and dead animal disposal.

Why should I abide by the GAAMPs for farm animal care?

Following GAAMPs is voluntary, but agricultural producers who follow these and other applicable GAAMPs are protected by the state against public and private nuisance litigation by the provisions of the Michigan Right to Farm Act.

Who develops the GAAMPs for farm animal care?

A team of industry representatives, university faculty members and Extension specialists, and government agency staff members provide input for developing the recommended GAAMPs practices.

How are the GAAMPs for farm animal care developed?

Scientifically derived guidelines and handbooks for care of individual species are referenced for each section of the GAAMPs. Cited references for each species serve as recommended reading if additional information is needed.

How often are the GAAMPs updated?

The GAAMPs are reviewed annually and revised as necessary following a public comment period. Producers and industry representatives are encouraged to review the current year's GAAMPs and submit suggestions during the public comment period for updates based on new available technologies or changing economic conditions.

What species of farm animals are covered by the GAAMPs?

The Michigan GAAMPs for farm animal care provide uniform standards for animal care and acceptable management practices for these species of animals: beef cattle and bison, dairy cattle, veal, swine, equines, privately owned cervidae (deer and elk), sheep and goats, laying chickens, broilers, turkeys and game birds, rabbits, farm-raised mink and fox, aquaculture species and South American camelids (llamas, vicunas, alpacas and guanacos). The Michigan GAAMPs for farm animal care also apply to beekeeping and apiary management.

How can I learn more about the GAAMPs for farm animal care?

Visit www.michigan.gov/gaamps to find the most recent version of the GAAMPs for farm animal care. Also available on this Web site is information about the GAAMPs for manure management and utilization, pesticide utilization and pest control, nutrient utilization, cranberry production, site selection and odor control for new and expanding livestock production facilities, and irrigation water use.

Whom do I contact if I have questions about the Michigan Right-to-Farm Act or need help interpreting the GAAMPs for farm animal care?

Contact the Michigan Department of Agriculture Right-to-Farm Program for answers to questions about the Michigan Right-to-Farm Act or help interpreting the GAAMPs for farm animal care.

Michigan Department of Agriculture

Right-to-Farm Program

or click on either logo below to go to the websites.





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TOWNSHIP OF HARTLAND

AMENDMENT TO PERMIT BACKYARD CHICKENS IN SINGLE FAMILY DISTRICTS

PROPOSED AMENDMENT

Section 2. Definitions

88. FARM: The land, buildings, and machinery used in the commercial production of farm products. farm products are plants and animals useful to human beings and includes, but not limited to, forage and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products. To be considered a farm hereunder, the parcel shall contain ten (10) or more contiguous acres. For the purposes of this Ordinance, farms shall not include establishments for keeping or raising furbearing animals, private stables, commercial dog kennels, piggeries, greenhouses or stockyards, unless such establishments are combined with other bona fide farm operations listed above which are located on the same continuous tract of land of not less than 40 acres. A farm which is operated as a business for purposes of agricultural production is distinguished from a collection of farm buildings and animals that is operated for education, demonstration, or recreational purposes. Such quasi-farm operations may be known as "petting zoos."

89. FARM BUILDING: Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of agricultural activities.

A. Chicken Coop: A structure for the keeping and housing of chickens also referred to as a coop. The coop shall be constructed and maintained so that the chickens are not able to escape from the coop.
B. Chicken Run: An enclosed area attached to the chicken coop where chickens can roam unsupervised. The run shall be constructed and maintained so that the chickens are not able to escape the run.

Section 4.10 Keeping of Animals

2. Domesticated Animals. Except for a farm, as defined in Section 2.2, or as superseded by the Right to Farm Act (P.A. 93 of 1981, as amended), the raising and keeping of Domesticated Animals, as defined in Section 2.2, shall be permitted only in the CA District and subject to the following conditions:
   A. Minimum lot size for cattle, equine, swine and sheep or goats shall be five (5) acres. Minimum lot size for poultry, fowl, turkeys, and geese shall be two and one half (2.5) acres. The minimum lot size for all other animals shall be determined based upon the size of the largest animal kept.
   B. The number of Domesticated Animals allowed for each acre of lot size is identified in the following table. Where there are different types of animals kept on the same parcel, the required lot size must be calculated as the combined total requirement for each type of animal (for example, one cattle, one equine and two swine require a total of six (6) acres).
   C. All lots shall be properly fenced in such a manner that no livestock, poultry or other animals will run at large.
   D. No animal waste shall be accumulated or be stored within one hundred (100) feet of a property line. No structure for housing such animals shall be located within one hundred (100) feet of a property line. This provision shall not apply to the housing of chickens or the storage of animal waste for chickens.

E. Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare.

F. As an exception to the requirements outlined above, chickens shall be deemed permissible in all single-family residential zoning districts, including CA, RUR, RR, STR, RE, SR, MDR, and HDR zoning districts.

G. It shall be unlawful for any person to own, keep, harbor, or have under their care, custody, or control any cock or rooster chicken two (2) months of age or older.

H. All chickens shall be housed in a chicken coop and run. The chicken coop and run shall require a land use permit properly issued by the township and shall comply with the following provisions:
   i. The chicken coop and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
   ii. The chicken coop and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor, or threats to public health;
   iii. The chicken coop and run shall not be permissible in the front yard area and shall be treated as an accessory building; however, specific setback requirements noted in this section shall apply;
   iv. The chicken coop shall comply with the lot coverage requirements of the particular zoning district the property is located within. The run shall not be counted toward the lot coverage requirements, unless it is covered;
   v. Chickens shall not be permitted to run at large on the property and shall be confined to the chicken coop and run area;
   vi. Offal, manure, and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to breeding or attraction of flies, mosquitoes, or other noxious insects or in any manner that endangers public health or safety. The offal, manure, and waste material shall be properly disposed of so odors from the chickens, manure, or chicken related substances shall not be perceptible beyond the boundaries of the property;
   vii. All grain, feed, and materials intended for use as food for chickens shall be kept in a tightly fitted container constructed to keep out vermin and wild animals;

I. Deceased chickens shall be properly disposed of in a proper manner, according to all health and safety standards;

J. The number of chickens, setbacks for the chicken coop, and chicken run, as well as minimum lot size provisions are outlined below:

4.10.2.J. Keeping of Chickens: Minimum Lot Size	
Number of Chickens	Minimum Lot Size
1-20 animals	1 acre
21-30 animals	1.5 acres
31-40 animals	2 acres
41-50 animals	2.5 acres
51-100 animals	5 acres
101 animals	10 acres
Additional 50 animals per acre	Above 10 acres

4.10.2.J. Keeping of Chickens: Setback*	
Number of Chickens	Setback*
1-10 animals	15 feet
11-20 animals	25 feet
21-30 animals	30 feet
31-40 animals	40 feet
41-50 animals	50 feet
51-100 animals	60 feet
101 animals	100 feet
Additional 50 animals	100 feet

* The setbacks in this table are determined by the number of animals, not the acreage.

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2027
HARTLAND TOWNSHIP PLANNING COMMISSION MEETINGS

HARTLAND TOWNSHIP HALL
7:00 P.M.

The regular meetings of the Hartland Township Planning Commission for the year 2027 will be held on the following dates. All meetings are open to the public.

January 14, 2027	**January 28, 2027**
February 11, 2027	**February 25, 2027**
March 11, 2027	**March 25, 2027**
April 8, 2027	**April 22, 2027**
May 13, 2027	**May 27, 2027**
June 10, 2027	**June 24, 2027**
July 8, 2027	**July 22, 2027**
August 12, 2027	**August 26, 2027**
September 9, 2027	**September 23, 2027**
October 14, 2027	**October 28, 2027**
November 4, 2027	**November 18, 2027**
December 2, 2027	**December 16, 2027**

Tom Murphy
Hartland Township Planning Commission Secretary