

LAPEER COUNTY ROAD COMMISSION
PERSONNEL AND OPERATIONS POLICY MANUAL

Policy Subject: DESIGNATION OF NATURAL BEAUTY ROADS
Authorized by Board of Road Commissioners Date: 10/22/08
Amended Date: 01/25/23

STATEMENT OF POLICY

The goals of the Natural Beauty Road program are to identify and preserve in a natural, essentially undisturbed condition, certain county-local roads having unusual or outstanding natural beauty by virtue of native vegetation or other natural features within or associated with the right of way, for the use and enjoyment of local residents and the public in general.

Act 451 sets forth procedures whereby freeholders in a township may petition the Road Commission to consider designating portions of a county local road a natural beauty road. Such designation is at the discretion of the Road Commission. Public Act 451 of 1994 replaces and supersedes Public Act 150 of 1970.

Further, the Road Commission may proceed to withdraw such designation at any time after a public hearing, if it deems to be in the general public interest. Also, in accordance with Public Act 451, the property owners of record of 51% or more of the lineal footage along the natural beauty road may submit a petition within 45 days following designation by the Board, to request withdrawal of the designation. Provided that the petition is valid, the designation is automatically withdrawn.

General Lapeer County Road Commission Goals

1. To consider petitions requesting designation of natural beauty roads in an equitable manner, consistent with Public Act 451, while fulfilling the general duty of the Commission to provide for the safe travel of the public.
2. To plan and carry out needed maintenance of natural beauty roads and rights of way within the letter and spirit of Public Act 451, consistent with maintaining minimum safe driving conditions, for specific attendant circumstances.
3. To periodically review the status of such roads, and to consider withdrawing natural beauty road designations, when deemed in the public's interest, as specifically provided under Public Act 451.

CRITERIA FOR DESIGNATION

1. **Character of Road** – A natural beauty road shall have outstanding natural features along its borders. This can include native trees and other native vegetation - such as shrubs, wildflowers, grasses, and ferns – as well as open areas with scenic or natural vistas

which, singly or in combination, set the road apart from other roads as being something unique and distinct and free from invasive vegetation and trees.

2. **Length** – A minimum of one-half mile will be considered for designation as a natural beauty road. Stretches shall be continuous except where broken by a non-qualifying portion. Non-qualifying portions should normally not exceed one-half mile in length.
3. **Roadside Development** – Qualifying roads should preferably have no development along them, but such development as exists at the time the road is designated should be compatible with the surroundings, and should not detract from the natural unspoiled character and visual impact of the road area.
4. **Road Bed** – Natural beauty roads may be dirt, gravel, or hard surface.
5. **Function of the Road** – Roads shall be county-local roads before they are considered for designation. They shall not be collectors or primary roadways.

PROCEDURE

1. Twenty-five or more of the land holders in a township may apply by petition to the Lapeer County Road Commission for designation of a county local road or portion thereof as a Michigan Natural Beauty Road. Signers of the petition need not live on the road being considered for designation; however, they must own property in the township in which the proposed Natural Beauty Road is located. Additionally, in order for a petition to be accepted by the Lapeer County Road Commission for consideration, the following information must accompany the petition:
 - a. The petition shall state clearly the name of road, location, length, exact beginning and end points for the designation request, and a statement of justification for the request for designation.
 - b. Township's written verification of signatures and petitioners' ownership of property within the township.
 - c. The petition shall be accompanied by a resolution from the respective Township indicating that the township supports designation of the road and that the township will pay all cost associated with the designation including, but not limited to, signage and its installation and maintenance costs, legal fees if any, public notifications, special meetings, etc.
 - d. An accurate map of the proposed Natural Beauty Road at a scale of not less than 1" to 200' identifying and showing the location of any and all native trees and vegetation and/or other natural features.
 - e. An inventory to include numbers and location of the trees and plants found in the county local road right-of-way proposed for designation as a Natural Beauty Road.
 - f. To ensure standardization of conditions for designation of Natural Beauty Road a statement (report of findings in format of NBR criteria, with a recommendation) from the Michigan State University Agricultural Extension Service (or equivalent organization approved by the Lapeer CRC), indicating wildlife and which trees, plants, and vegetation located in the right-of-way of the proposed Michigan Natural Beauty Road are native to Lapeer County.
 - g. The Lapeer County Road Commission shall spend NO monies in process of establishing or withdrawal of a Natural Beauty Road as stipulated by Act No. 51 of the Public Acts of 1951.

2. Within six (6) months after the petition is received, the Lapeer County Road Commission shall hold a public hearing to consider the described road as a natural beauty road. The hearing shall be held at a suitable place within the township in which the proposed natural beauty road is located. The Road Commission shall post notice at least once each week for two successive weeks in a newspaper of general circulation in the county. The Road Commission shall also post five (5) notices within the limits of the portion of road to be designated. The posting and at least one publication in the newspaper shall be made not less than ten (10) days before the hearing.
3. Within thirty days after the public hearing, the Lapeer County Road Commission will announce its decision as to whether the local road proposed shall or shall not be designated as a Natural Beauty Road. The vote of the Board of County Road Commissioners in respect to such a determination shall be taken by a roll call vote. The vote shall be entered at large on the Road Commission's records.
4. Notice of the Road Commission's determination shall be given to the Township in which the road is situated.
5. After designation, Speed will be reviewed per the requirements of MCL 257.627 or 257.628, accordingly.

ACCEPTED MAINTENANCE PRACTICES

In general, natural beauty roads should receive the same level of maintenance that was performed on the road prior to designation, as long as the character of use and development of the road does not change to the extent that a higher degree of maintenance is necessary.

Mowing should be continued where done previously, but should be limited to one swath on either side of the road.

Under no circumstances will herbicides be used to control or eliminate roadside vegetation.

Where dust control has been the practice or becomes a necessity, a minimum level of dust treatment may be used.

Cross drainage must be handled where necessary to prevent damage to the road, possible washouts and other problems that may be detrimental to proper safety.

Tree branches and shrubs may be trimmed or removed as necessary for safety and protection of the traveling public and vehicles. This should be done in a manner so as not to leave unsightly scars.

The existing road surface at the time of designation should normally be continued. Necessary changes in surface to improve safety, drainage, reduce maintenance problems, etc., may be cause for un-designating such roads if such changes disturb the natural beauty characteristics for which the road was designated.