

**STATE OF MICHIGAN**  
**75<sup>TH</sup> LEGISLATURE**  
**REGULAR SESSION OF 1970**

Introduced by Senators Richardson, Rockwell, and Bursley

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AN ACT to designate certain roads as Michigan natural beauty roads; to provide certain powers and duties; and to provide for the development of guidelines and procedures.

*The people of the State of Michigan enact:*

Sec. 1. As used in this act:

- a. "Board" means a board of county road commissioners.
- b. "Department" means the department of natural resources.
- c. "Native Vegetation" means an original or indigenous plant of this state including trees, shrubs, vines, wild flowers, aquatic plants or ground cover.
- d. "Natural" means in a state provided by nature, without man-made changes, wild or uncultivated.

Act No. 51 of the Public Acts of 1951, being section 247.654 of the Compiled Laws of 1948.

Sec. 2. (1) Twenty-five or more freeholders of a township may apply by petition to their board for designation of a county local road or portion thereof as a natural beauty road.

(2) Within 6 months after a petition is received. The board shall hold a public hearing to consider designation they 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. At the hearing a party or interested person shall be given an opportunity to present his support for or objections to the proposed designation. Notice of the hearing shall be given by the board by causing a notice thereof to be published at least once in each week for 2 successive weeks in a newspaper of general circulation in the county and by posting 5 notices within the limits of the portion of the road to be designated. In public and conspicuous places therein. The posting shall be done and at least 1 publication in the newspaper shall be made not less than 10 days before the hearing.

(3) Within 30 days after the hearing, if the board deems the designation desirable, it shall file with the county clerk a true copy of its resolution designation the portion of the county local road as a natural beauty road.

Sec. 3 (1) If the board designates a road as a natural beauty road, the property owners of record of 51% or more of the lineal footage along the natural beauty road way submit within 45 days after the road is so designated a petition to the board requesting that the natural beauty road designation be withdrawn and if the petition is valid, the designation as a natural beauty road shall be withdrawn.

(2) A designation of a natural beauty road may be withdrawn or revoked by the board after the board holds a public hearing in accordance with the procedure described in subsection (2) OF SECTION 2. Within 30 days after a hearing, if the board by majority vote determines the revocation necessary, it shall file with the county clerk a notice of its determination and publish the notice in a newspaper of general circulation, once in each week for 2 successive weeks. After publication of the notice, the road previously designated shall revert to its former status.

Sec. 4. (1) The department shall develop uniform guidelines and procedures which may be adopted by the board to preserve native vegetation in a natural beauty road right of way from destruction or substantial damage by cutting, spraying, dusting, salting, mowing or by other means. No guidelines and procedures adopted under the authority of this act shall prohibit the application of accepted principles of sound forest management in natural beauty road right-of-way.

(2) The department may advise and consult with the board on the application of the guidelines and procedures.

(3) The board shall provide for a public hearing before an act is permitted which would result in substantial damage to native vegetation in the right of way.

(4) Nothing in this act shall affect the right of a public utility to control vegetation in connection with the maintenance, repair or replacement of public utility facilities, which were constructed in a road, or in connection with the construction, maintenance, repair or replacement of public utility facilities crossing a natural beauty road.

Sec. 5. The department may establish a citizen's advisory committee to assist in the formulation of proposals for guidelines and procedures.

This act is ordered to take immediate effect.

## **GUIDELINES FOR DESIGNATION OF NATURAL BEAUTY ROADS**

The following guidelines have been prepared jointly by the Department of Natural Resources (DNR) and the County Road Association of Michigan (CRAM) in consultation with other persons knowledgeable in the identification of natural and aesthetic values.

### **Goals**

The goals of the Natural Beauty Roads 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.

### **Objectives**

1. To officially recognize and designate roads in the County-local system that meet the natural beauty criteria.
2. To keep these roadsides as they presently exist insofar as possible.
3. To maintain and administer these roads so that they will continue to meet the criteria and, at the same time, provide safe public travel.
4. To mark such roads for the information of the public.

### **Criteria for Designation**

1. *Character of Road.* To qualify as a natural beauty road, a road must have outstanding natural features along its borders, including native trees and other native vegetation such as shrubs, wildflowers, grasses and ferns, and open areas with scenic or natural vistas, which, singly or in combination, set this road apart from other roads as being something unique and distinct. (List of tree and plant references appears on pages 4 and 5.)
2. *Length.* Normally a minimum of one-half mile will be considered for designation as a natural beauty road with exceptions below this length depending upon unusual features. Stretches will 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.* Normally, the existing road should function as a local access road (i.e. one that serves the adjacent property owners) and / or as a road serving those wishing to travel for the purpose of enjoying its natural beauty features. These uses would generally preclude designation as a Natural Beauty Road any road serving as a collector or a higher functional classification as defined by Federal standards.
6. *Speed.* Natural beauty roads are intended to be low speed roads for purposes of enjoyment. It is recommended that hard surface roads be posted for a speed of no more than 35 mph and gravel and dirt roads 25 mph.

### **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 use and development of the road does not change to the extent that a higher degree of maintenance is necessary.

1. *Mowing.* Mowing should be continued where done previously, but should be limited to one swath (maximum of five feet) on either side as follows:
  - a. On one-lane trail or dirt roads, mowing should be immediately adjacent to the tracks.

- b. On two-way gravel roads, mowing should be immediately adjacent to the edge of the graded surface.
  - c. On paved roads, mowing should be immediately adjacent to the edge of the pavement.
2. *Grading.* Grading will be kept as narrow as possible. This should normally be kept within a total width of 10 to 15 feet for trail roads. On other roads, grading should continue as normally provided except that it should be kept to a minimum to avoid disturbance of vegetation. It should be pulled back to avoid trees or unusual sites which have been designated.
3. *Herbicides.* Under no circumstances will herbicides be used to control or eliminate roadside vegetation.
4. *Dust Laying.* Where dust layer has been the practice or becomes a necessity, a minimum level of dust treatment may be used.
5. *Cross Drainage.* Cross drainage must be handled where necessary to prevent damage to the road and possible washouts and other problems, which may be detrimental to proper safety.
6. *Signing.* Natural beauty roads will be identified at entrance points by a specifically designated standard sign to be of a design prepared by the Department of State Highways and placed by the County Road Commission. The length of the designated road will be indicated on the sign.
7. *Tree and Shrub Trimming and Tree Removal.* Where necessary for safety or protection of the traveling public and vehicles, tree branches and shrubs may be trimmed or whole trees removed. This should be done judiciously and with proper tools so as not to leave unsightly scars.
8. *Road Surfacing.* 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 undesignating such roads if such changes disturb the natural beauty characteristics for which the road was designated.

### **Tree and Plant References**

Billington – Shrubs of Michigan. Crambrook Institute of Science  
Billington – Ferns of Michigan. Crambrook Institute of Science  
Case – Orchids of the Western Great Lakes. Crambrook Institute of Science  
Otis – Michigan Trees. University of Michigan Press  
Peterson and McKenny – Field Guide to Wildflowers of Northeastern and North Central America. Houghton Mifflin Company  
Petrides – Field Guide to Trees and Shrubs. Houghton Mifflin Company  
Smith – Michigan Wildflowers. Crambrook Institute of Science