April 27, 2016

Township Board, Planning Commission,
and Director of Planning & Zoning
Peninsula Township
13235 Center Rd.
Traverse City, MI 49686

Subject: Proposed Zoning Ordinance Articles 1 – 7: May 3, 2016 Meeting Items

Members of the Township Board, Planning Commission, and Staff:

At the joint meeting of the Planning Commission and Township Board on April 18th, we started the review of Articles 1-7 of the Zoning Ordinance. Based on the amount of information to cover, the Planning Commission and Township Board agreed to hold 3 additional meetings to review Articles 1-7 and our corresponding transmittal letter (dated April 11, 2016). These meeting dates, and our suggested topics, are as follows:

- **April 26, 2016 (Tuesday), 6:00 p.m. to 8:00 p.m. – Shoreline Overlay (Section 3.113) and Fences and Walls (Section 7.114).** At the April 26th meeting, we reviewed the Shoreline Overlay (Section 3.113) and Fences and Walls (Section 7.114), but deferred review of the related definitions to a later meeting that will be dedicated to reviewing only the Definitions article.
- **May 3, 2016 (Tuesday), 6:00 p.m. to 8:00 p.m. – Agricultural-Related Uses (Sections 6.103, 6.110, 6.123, 6.138, and 6.139), and Major Items in Articles 3-5.**
- **May 9, 2016 (Monday), 6:00 p.m. to 8:00 p.m. – Land Uses (Remaining Sections in Article 6) and General Provisions (Remaining Sections in Article 7).**

For the May 3, 2016 meeting, we recommend covering the following items related to Agricultural-Related Uses in Article 6, Article 3 (excluding Shoreline Overlay in Section 3.113), Article 4 (Schedule of Regulations), and Article 5 (PUD and Site Condominiums), although other items can be raised as they arise:

1. **Bed and Breakfast Establishments**
   Location in Proposed Zoning Ordinance: Section 6.103
   Location in April 11, 2016 Transmittal Letter: Page 6

2. **Food Processing Plants**
   Location in Proposed Zoning Ordinance: Section 6.110
   Location in April 11, 2016 Transmittal Letter: Page 7

3. **Local Food Production Facility**
   Location in Proposed Zoning Ordinance: Section 6.123
   Location in April 11, 2016 Transmittal Letter: Page 7

4. **Winery, Use By Right (Currently a "Farm Processing Facility")**
   Location in Proposed Zoning Ordinance: Section 6.138
   Location in April 11, 2016 Transmittal Letter: Pages 7-8

5. **Winery-Chateau**
   Location in Proposed Zoning Ordinance: Section 6.139
   Location in April 11, 2016 Transmittal Letter: Page 8

6. **Interpretation of Zoning District Boundaries**
   Location in Proposed Zoning Ordinance: Section 3.103
   Location in April 11, 2016 Transmittal Letter: Page 3

7. **Table of Permitted Uses by District**
   Location in Proposed Zoning Ordinance: Section 3.106
   Location in April 11, 2016 Transmittal Letter: Page 4

8. **Zoning District Summaries**
   Location in Proposed Zoning Ordinance: Sections 3.107 – 3.112
   Location in April 11, 2016 Transmittal Letter: Page 4

9. **Neighborhood Overlay**
   Location in Proposed Zoning Ordinance: Section 3.117
   Location in April 11, 2016 Transmittal Letter: Page 5

10. **Schedule of Regulations**
    Location in Proposed Zoning Ordinance: Article 4
    Location in April 11, 2016 Transmittal Letter: Page 5

11. **Planned Unit Developments**
    Location in Proposed Zoning Ordinance: Section 5.101
    Location in April 11, 2016 Transmittal Letter: Page 6

12. **Site Condominiums**
    Location in Proposed Zoning Ordinance: Section 5.102
    Location in April 11, 2016 Transmittal Letter: Page 6

Again, if there are other items that arise during the course of our review on April 26th, we can address them at that time or at a future meeting.

Respectfully submitted,

McKENNA ASSOCIATES

Patrick J. Sloan

Patrick J. Sloan, AICP
Principal Planner

cc: Leslie Sickterman, AICP, PCP, CNU-A, Principal, Mission North, LLC

To: Peninsula Township Board & Peninsula Township Planning Commission

From: Michelle Reardon, Planning & Zoning Department

Re: Agricultural Processing Use language

Date: April 28, 2016

The Planning Commission and P& Z Staff have been working on the proposed agricultural processing uses and the B&B sections of the ordinance for some time. Attached you will find the minutes for the sub-committee meetings that occurred in 2014 and 2015 related to this topic as well as memos that are referred to in the minutes.

Feel free to contact me should you have any questions.

PENINSULA TOWNSHIP
PLANNING COMMISSION SUB-COMMITTEE
March 12, 2014

Present: P. Rosi, L. Serocki
Absent: B. Householder
Also present: E. Craft, M. Reardon, N. Heller, M. Nadowski, B. Eaton, C. Ruzak, C. Goodman, K. Kern, D. Edmondson
Meeting called to order 2:01PM

ROADS Craft will work on new road draft with comments from members. Corrections will be made to Section 7.10.12. Reardon will hold off on engineer review until comments are obtained from Planning Commission and ZBA. New draft revisions will include: reformatting, Intent, Non-conforming Roads, and Joint Maintenance Agreement sections. Discussed staging areas for fire trucks; what information is used in deciding how many staging areas are needed along a road? Some loans require a road to be brought up to standard before finalizing mortgage. Roads need to meet a certain requirement regarding width, paving, grade, and road-bed, even if they don't have a joint maintenance agreement. Discussed problems with roads in Nehatawanta as roads are platted and actual roads do not follow "paper" roads.

BED AND BREAKFAST Subject has been researched; staff will take the research and the results from two B&B meetings and prepare a draft for next month. Discussed events that are available at other B&Bs in the state. Discussed increasing number of rooms; will look at zoning and acreage numbers to determine what might work. Clarification requested for difference between social events and promotional events (wine tours). Comment made regarding Township not following their own ordinance in regards to Lighthouse weddings and events. After Large Events Ordinance is finalized, will look at what are acceptable accessory uses in terms of events with smaller numbers of people. How will that affect neighbors; noise, parking, etc. B&B properties are not taxed as residence. Will invite Sally Akerley to our next meeting.

AG TIERS Reardon prepared chart summarizing food processing and food production ordinances. The chart shows comparisons between current ordinances and proposed ordinances. Food production ordinances are ready to go. The consensus that the office is hearing is that the current food processing ordinances are working, so why change them? The decision has been made on road right of way and parcels split by road. Now need to work on language for AVA, canopy, standards for grape wine, fruit wine, hops, spirits, selling merchandise. Are more tier levels needed? Tier 4 needs work on occupancy limits, meeting numbers, and acreage required (50 or 80). Discussed ZA enforcement of current ordinances. All wineries and chateaus must follow rules; will now be enforced. Discussed removal of remote wine tasting room ordinance and placement of all new remote tasting rooms into commercial zoned property; does this need to be mentioned in each tier?

One correction in February 5th minutes. Next meeting April 16, 2014 at 2:00PM. Topics will be B&B and ag tiers. Committee will receive updated road draft and ZBA comments on definitions prior to April 16th meeting.

Meeting adjourned 4:30 PM 3/18/14 laws

PENINSULA TOWNSHIP

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MEMO

To: Planning Commission Language Sub-Committee

From: Planning & Zoning Department

Re: Bed & Breakfast Ordinance

Date: May 8, 2014

Regarding the Section 8.7.3(6) Bed and Breakfast Establishments of the Peninsula Township Zoning Ordinance (Ordinance), staff offers the following comments and recommendations:

Historical Significance

Peninsula Township may have intended the Bed and Breakfast (B&B) Ordinance to provide residents the opportunity to preserve existing structures of historical and cultural significance, that would otherwise be too costly to maintain (e.g. historic farmstead). The intention may not have been to encourage the construction of new B&Bs where no structure existed prior.

This intention is not conveyed in the B&B Ordinance currently. Staff recommends that the sub-committee discuss the intention of the B&B Ordinance going forward. Does the Township wish to encourage re-use of existing structures or to provide standards to regulate new B&B structures?

If preserving historically and culturally significant structures is determined to be the intent of this Ordinance, then the intent statement include language such as:

> *It is the intent to encourage the use and adaptive re-use of historical or culturally significant buildings in the township for such B&B Establishments.*

Several municipalities require potential B&B owners to demonstrate that the proposed B&B structure was built prior to a specific date. For example, Bingham Township requires that the principal structure is built before the year 2000; East Bay Township requires that the principal structure be at least forty (40) years old.

Acreage Requirement

Peninsula Township B&Bs are required to be located on a parcel of at least 1 acre in size. This minimum was intended to provide residents the opportunity to split a historical homestead from the remaining parcel according to the standards set forth in Section 6.7.5 Conservation Easement Restricted Farmland of the Ordinance.

Staff recommends that the sub-committee discuss the possibility of raising the minimum acreage requirement for a B&B establishment (e.g. 5 acres minimum).

Zoning Districts Allowed

The minimum lot size of a B&B prohibits B&Bs from being located in R-1B, R-1C, or R-1D districts because the minimum lot size for those districts is less than 1 acre. B&Bs are allowed in the R-1A zoning district because the minimum lot size is 1 acre.

Staff recommends that the sub-committee consider whether B&Bs should be allowed in a residential district. Staff recommends that the sub-committee consider allowing B&Bs only in the A-1 zoning district, particularly if the intent of the B&B Ordinance is to encourage the use and adaptive re-use of historically and culturally significant structures. Agricultural land use is obviously of great historical and cultural significance to the Township.

Number of Guest Rooms

Peninsula Township B&Bs are allowed a maximum of 3 guest rooms. In keeping with the historical intent, this number was determined because the average historical dwelling contained 5-6 bedrooms and 1-3 of those bedrooms would be needed by the homeowners themselves.

Of the B&B ordinances researched by staff, between 3 and 10 guest rooms are allowed. Acme takes a relatively unique approach and divides B&Bs into 2 categories – Home vs. Inn. A B&B Inn may have more guest rooms but must also have more acreage.

Staff recommends that if the sub-committee is favorable to allowing more guest rooms, then the number of rooms allowed is determined by the number of acres of the principal site of the B&B. For example:

- 1 acre, 3 rooms
- 10 acres, 4 rooms
- 20 acres, 5 rooms*

  * Maximum number of rooms allowed

Number of Guests

Peninsula Township B&Bs are allowed a maximum of 8 overnight guests and 4 guests per room. The maximum number of guest rooms is 3. These numbers are not consistent. For example, if only considering the maximum number of guest rooms (3) and number of guests per room (4), B&Bs could host 12 overnight guests at a time (3 rooms x 4 guests).

Other B&B Ordinances do not stipulate a maximum number of overnight guests and instead regulate only the number of guest rooms allowed and the number of guests per room. Staff believes that this is a more logical approach.

Staff recommends that the sub-committee consider eliminating the explicit regulation of maximum number of overnight guests, instead relying upon the maximum number of rooms and guests per room to provide this number. Staff recommends that the sub-committee consider whether 12 overnight guests is an appropriate maximum.

Events

The topic of B&B events has been recently raised. The B&B Ordinance makes no mention of specific events allowed or prohibited in conjunction with a B&B establishment. If a use is not expressly permitted in the Ordinance then it is prohibited.

Staff is unsure if the Planning Commission is favorable to allowing B&B events. Staff recommends that the sub-committee consider the impact of B&B events upon surrounding land uses.

The Ordinance states, "The impact of the establishment is no greater than that of a private home with house guests". This statement is echoed in other B&B ordinances as well. Several municipalities specify further, stating "a private home with weekend house guests".

A private home with house guests could theoretically hold an event. However, the event would likely be for the house guests only and not the public at large. Staff recommends that if B&B events are allowed the events shall be for registered guests only. The Ordinance shall then include language such as:

> *No activities for which a fee is paid shall be permitted except for those which involve only registered guests.*

A registered guest is defined in the Ordinance as "a person or people that stay overnight and have signed a guest register". This means that B&B events would be limited to 8 participants, the maximum number of B&B guests allowed currently.

Summary of Staff Recommendations

1. Staff recommends that the sub-committee discuss the intention of the B&B Ordinance going forward. Does the Township wish to encourage re-use of existing structures or to provide standards to regulate new B&B structures?
2. Staff recommends that the sub-committee discuss the possibility of raising the minimum acreage requirement for a B&B establishment to 5 acres.
3. Staff recommends that the sub-committee consider allowing B&Bs only in the A-1 zoning district.
4. Staff recommends that the number of guest rooms allowed is determined by the number of acres of the principal site of the B&B.
5. Staff recommends that the sub-committee consider eliminating the explicit regulation of maximum number of overnight guests and consider whether 12 overnight guests is an appropriate maximum.
6. Staff recommends that B&B events, if allowed, are for registered guests only.

PENINSULA TOWNSHIP PLANNING COMMISSION
SUB-COMMITTEE MEETING 5/14/14

Present: P. Rosi, L. Serocki Absent: B. Householder
Also present: N. Heller, E. Crafts, M. Reardon, C. Ruzak
Meeting began 2:02PM

Definitions: Discussed ZBA comments regarding definition sections. Edited Bed and Breakfast, structure, and discussed further changes to road definitions. Will continue to review and edit definitions as work progresses on other parts of the zoning ordinance.

Bed and Breakfast: New format for discussion works great. Discussed the following topics: Historical Significance--should intent statement reflect original purpose of preserving historical homes? Staff will work on new intent statement incorporating the intent to encourage use and adaptive reuse of structures to strengthen rural character. Rural character should be looked at as a land use and not as a design. Acreage Requirement--discussed increasing acreage from one acre. Two to five acres would give buffer to adjoining properties. Zoning Districts--should leave in residential and agricultural. Number of Guest Rooms--agreed rooms could increase depending on acreage. Looking at 1 additional room for every 5 acres up to 20 acres. Number of Guests--With an increase in rooms, number of guests should be increased. Looking at 12 guests max. Events--discussed if events should be allowed for registered guests. Concerns about commercialization. Should agri-tourism events be allowed? Should a B&B be allowed to have events regardless of level? (Levels would run from registered guests only to a total of 50 people to 250 people which would be opened to the public). Will discuss at PC meeting on June 16th.

Private Roads: Reviewed new draft. Copies will be sent to PC and ZBA for comment prior to next meeting. New format is great; flows better. Fire Department presented many options for non-conforming roads when a land use permit is required.

Next meeting: June 11, 2014 at 2PM. Agenda will include road draft and comments received from PC and ZBA.

Meeting adjourned at 4:20PM

laws 5/14/14

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MEMO

To: Peninsula Township Planning Commission

From: Planning & Zoning Department

Re: Bed & Breakfast Ordinance

Date: June 9, 2014

Regarding Section 8.7.3(6) Bed and Breakfast Establishments of the Peninsula Township Zoning Ordinance (Ordinance), staff offers the following comments and recommendations from the sub-committee for the Planning Commission's consideration.

Intent Statement

Peninsula Township may have intended the Bed and Breakfast (B&B) Ordinance to provide residents the opportunity to preserve existing structures of historical significance that would otherwise be too costly to maintain (e.g. historic farmstead).

This intention is not conveyed in the B&B Ordinance currently. The sub-committee recognizes that the original intent of the ordinance may not match the reality of B&Bs in the township. Not all B&Bs in the township reuse existing structures. The sub-committee considers the rural character of B&Bs more integral to the township than the reuse of historical structures. The sub-committee recommends that the intent statement include language such as:

> *It is the intent to encourage the use and adaptive re-use of structures for B&B Establishments to strengthen the rural character of the Township.*

Should this language be included, the ordinance will include appropriate standards by which to enforce this intent.

Acreage Requirement

Peninsula Township B&Bs are required to be located on a parcel of at least 1 acre in size. This minimum was intended to provide residents the opportunity to split a historical homestead from the remaining parcel according to the standards set forth in Section 6.7.5 Conservation Easement Restricted Farmland of the Ordinance.

Increasing the minimum parcel size for a B&B may provide a more effective buffer to neighboring properties, particularly in residential zoning districts. Staff recommends that the minimum acreage requirement for a B&B establishment be increased to 5 acres.

The sub-committee recommends that the Planning Commission discuss the possibility of raising the minimum acreage requirement for a B&B establishment to between 2 – 5 acres.

Number of Guest Rooms

Peninsula Township B&Bs are allowed a maximum of 3 guest rooms. Of the B&B ordinances researched by staff, between 3 and 10 guest rooms are allowed.

The sub-committee recommends that if the Planning Commission is favorable to allowing more guest rooms, then the number of rooms allowed should be determined by the number of acres of the principal site of the B&B. Specifically,

- 2-5 acres, 3 rooms
- 10 acres, 4 rooms
- 15 acres, 5 rooms
- 20 acres, 6 rooms*

  * Maximum number of rooms allowed is 5 or 6, regardless if acreage is greater than 20. E.g. a 50 acre parcel may still only have 5 or 6 rooms.

Number of Guests

Peninsula Township B&Bs are allowed a maximum of 8 overnight guests and 4 guests per room.

Considering the recommendation to increase the number of guest rooms allowed, the sub-committee recommends that the number of allowed guests be increased to 12 maximum.

Events

The topic of B&B events has been recently raised. The B&B Ordinance makes no mention of specific events allowed or prohibited in conjunction with a B&B establishment. If a use is not expressly permitted in the Ordinance then it is prohibited.

Staff is seeking guidance regarding the possibility of holding events at a B&B. If the Planning Commission is favorable to allowing B&B events staff recommends that the Commission consider the impact of B&B events upon surrounding land uses if events are allowed.

The Ordinance states, "The impact of the establishment is no greater than that of a private home with house guests". This statement is echoed in other B&B ordinances as well. Several municipalities specify further, stating "a private home with weekend house guests".

A private home with house guests could theoretically hold an event. However, the event would likely be for the house guests only and not the public at large. Staff recommends that if B&B events are allowed the events shall be for registered guests only. The Ordinance shall then include language such as:

> *No activities for which a fee is paid shall be permitted except for those which involve only registered guests.*

A registered guest is defined in the Ordinance as "a person or people that stay overnight and have signed a guest register". This means that B&B events would be limited to 12 participants, the maximum number of B&B guests allowed by sub-committee recommendation.

Summary of Recommendations

1. Discuss the intention of the B&B ordinance going forward and consider adding language to emphasize the rural character of B&Bs.
2. Raise the minimum acreage requirement for a B&B establishment to between 2 - 5 acres.
3. Increase the number of guest rooms allowed based on the number of acres of the principal site of the B&B, with a maximum of 5 or 6 rooms allowed.
4. Increase the number of overnight guests allowed to 12 guests.
5. Staff recommends that B&B events, if allowed, are for registered guests only.

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MEMO

To: Peninsula Township Planning Commission

From: Elise Crafts, Planning & Zoning

Re: Bed & Breakfast Ordinance

Date: July 7, 2014

Regarding Section 8.7.3(6) Bed and Breakfast Establishments of the Peninsula Township Zoning Ordinance (Ordinance), staff offers the following comments and recommendations from the Planning Commission meeting of June 16, 2014 for the Sub-committee's consideration.

Intent Statement

The Planning Commission suggests including language from Section 8.7.3 (6) (b) (15) in the intent statement. This section states:

> *A special use permit shall not be granted if the essential character of a lot or structure within a residential or agricultural district, in terms of use, traffic generation, or appearance will be changed substantially by the occurrence of the bed and breakfast use.*

The intent statement of the B&B Ordinance does speak to compatible uses but does not include language regarding traffic, noise, etc. Staff suggests re-wording the statement of intent, specifically 8.7.3 (6) (a) (3) to include the following:

> *3. Surrounding land uses shall not be subject to increased trespass, undue traffic congestion, noise, or other conflict.*

Staff also suggests adding a 5th statement of intent to Section 8.7.3 (6) (a), specifically:

> *5. The use and adaptive re-use of structures for B&B Establishments is encouraged to strengthen and preserve the rural character of the Township.*

Should this language be included, the ordinance will include appropriate standards by which to enforce this intent.

Minimum Acreage Requirement
Peninsula Township B&Bs are required to be located on a parcel of at least 1 acre in size. This minimum was intended to provide residents the opportunity to split a historical homestead from the remaining parcel according to the standards set forth in Section 6.7.5 Conservation Easement Restricted Farmland of the Ordinance.

Increasing the minimum parcel size for a B&B may provide a more effective buffer to neighboring properties, particularly in residential zoning districts.

Staff recommends that the Planning Commission discuss the possibility of raising the minimum acreage requirement for a B&B establishment to between 2 – 5 acres. Several Planning Commission members raised concerns regarding this increase and suggested other means of buffering, discussed below.

Number of Guest Rooms
Peninsula Township B&Bs are allowed a maximum of 3 guest rooms. Of the B&B ordinances researched by staff, between 3 and 10 guest rooms are allowed.

Staff recommends that the sub-committee consider allowing more guest rooms. Staff seeks guidance from the sub-committee regarding the parameters by which to increase the number of guest rooms allowed. The Planning Commission discussed the following possibilities:

- Number of acres of B&B principal site
- Number of acres in active agricultural production
- Zoning Setbacks

Staff recommends that if acreage of the principal site is a reasonable measure of the number of guest rooms allowed, the sub-committee consider the following restrictions:

- 2-5 acres, 3 rooms
- 10 acres, 4 rooms
- 15 acres, 5 rooms*
  * Maximum number of rooms allowed is 5, regardless if acreage is greater than 15. E.g. a 50 acre parcel may still only have 5 rooms.

Staff does not recommend that the number of acres in active agricultural production shall determine how many guest rooms are allowed at a B&B. This standard is intended for land uses such as a farm-processing facility or winery chateau. In terms of community impact, these are very different land uses than a B&B.

Staff suggests the sub-committee consider applying A-1 zoning setbacks to all B&B principal and accessory structures. These include a thirty-five feet (35') front yard setback and fifty feet (50') side and rear setbacks. The Ordinary High Water Mark setback remains at sixty feet (60'). However, staff recommends that the sub-committee discuss whether increased setbacks are an effective method to buffer neighboring land uses.

Screening
Staff suggests that the sub-committee consider whether the use of screening is a suitable method to buffer neighboring properties from the impacts of a B&B. Perhaps requiring a fence or landscaped

barrier would limit the noise, traffic, and visual impacts of a B&B on surrounding land uses? Staff suggests the sub-committee consider requiring screening if the B&B property is residentially zoned.

Number of Guests

Peninsula Township B&Bs are allowed a maximum of 8 overnight guests and 4 guests per room. Considering the recommendation to increase the number of guest rooms allowed to 5, Staff recommends that the number of allowed guests be increased to 10-12 maximum.

Events

The topic of B&B events has been recently raised. The B&B Ordinance makes no mention of specific events allowed or prohibited in conjunction with a B&B establishment. If a use is not expressly permitted in the Ordinance then it is prohibited.

Staff is not recommending that a B&B may hold events. If the sub-committee is favorable to allowing B&B events, staff recommends that the sub-committee consider the impact of B&B events upon surrounding land uses if events are allowed.

The Ordinance states, "The impact of the establishment is no greater than that of a private home with house guests". This statement is echoed in other B&B ordinances as well. Several municipalities specify further, stating "a private home with weekend house guests".

A private home with house guests could theoretically hold an event. However, the event would likely be for the house guests only and not the public at large. Staff recommends that if B&B events are allowed the events shall be for registered guests only. The Ordinance shall then include language such as:

> *No activities for which a fee is paid shall be permitted except for those which involve only registered guests.*

A registered guest is defined in the Ordinance as "a person or people that stay overnight and have signed a guest register". This means that B&B events would be limited to 10-12 participants, the maximum number of B&B guests allowed.

Summary of Recommendations

1. Consider adding language to the intent statement to (a) protect surrounding land uses and (b) emphasize the rural character of B&Bs.
2. Consider raising the minimum acreage requirement for a B&B establishment to between 2 - 5 acres.
3. Increase the number of guest rooms allowed based on the number of acres of the principal site of the B&B and/or zoning setbacks, with a maximum of 5 rooms allowed.
4. Discuss whether setbacks are an appropriate buffer to neighboring land uses. Consider requiring A-1 setbacks for all B&B structures.
5. Discuss whether screening is an appropriate buffer to neighboring land uses. Consider requiring screening if the B&B is residentially zoned.
6. Increase the number of overnight guests allowed to 12 guests.
7. Staff recommends that B&B events, if allowed, are for registered guests only.

AMENDED

PENINSULA PLANNING COMMISSION SUB-COMMITTEE MEETING 7/9/14

Present: P. Rosi, L. Serocki, B. Householder
Also present: N. Heller, E. Crafts, M. Reardon, C. Ruzak, C. Goodman, M. Hoffman
Meeting began 2:05PM
Minutes from 5/14/14: Corrected spelling of Craft to Crafts. Minutes approved as amended.

ROAD STANDARDS: Positive feedback on May 8, 2014 draft from 2 ZBA members and 1 PC member. Question to be answered: Should the road be brought up to standards whenever there is a land use permit requested? Consensus was yes. There will no longer be a separate engineering policy. A new draft copy will be out in the new format and staff expects more questions/concerns at that time.

BED & BREAKFASTS: July 7, 2014 memo was addressed. This memo incorporates concerns from June 16, 2014 PC meeting. Intent statement will include two changes: #3(Modified) Will include wording about traffic, noise, etc, in addition to trespass. #5(New) Will address adaptive re-use of structures to strengthen and preserve rural character. Original intent was to help farms with 7 and 8 bedrooms earn money after kids had left home. Will allow existing buildings and new buildings to be B&Bs. Minimum acreage was discussed. There could be unintended consequences if require more acreage. Discussed increasing set-backs to minimize conflicts with surrounding neighbors. Doesn't matter where structure is placed as long as have proper setbacks. If B&B on 1 acre in ag, not precluded from farming on rest of property. Discussed only allowing B&Bs on ag property; no agreement on that. Assessor found 1,086 residential properties greater than 1 acre in Township. Crafts will request more info on nature of the parcels (subdivisions, specific zoning, etc). Next draft will increase set-backs and acreage. Concern raised about additional traffic and additional people. Must plan for the future and this will help preserve ag and rural character. Number of guest rooms: Five will be maximum number of rooms and will be based on acreage. Screening: Should screening be required to protect neighboring properties? Will increased set-backs be enough? Staff will develop language regarding acreage, set-backs, and buffering. Number of Guests: 10-12. Events: What should be allowed? Current ordinance states "The impact of the establishment is no greater than that of a private home with house guests." Most in-home guests have sleeping arrangements, are served meals, and entertained. Should we allow afternoon teas? Dinners? Appetizers? No problem with meals if for registered guests only. Events are another issue; could include teas, murder mystery week-end, romantic get-aways, etc. Should be for registered guests only. Any outdoor activity could impact neighbors.

Public Comment: B&B owners feel Township is too restrictive on B&Bs. B&B owners do not have a level playing field. Want more discussion on ag-tourism aspect; need to address value-added ag events. Feel requirement that owner be on premise at all times is too restrictive. Reardon has had discussion with attorney regarding definition of owner-occupied; owner has to be there 50% of time.

Next meeting August 20, 2014 at 2PM. Topic will be B&Bs .
Meeting adjourned 3:58PM laws

Peninsula Township Planning Committee Subcommittee Meeting
August 20, 2014

Present: B. Householder, P. Rosi, L. Serocki
Also present: M. Reardon, E. Crafts, N Heller
Meeting called to order at 2:03PM

COMMUNICATIONS: B. Graham--letter dated March 18, 2014; C. Ruzak--letter dated July 8, 2014; P. Rosi--e-mail dated August 19, 2014; C. Goodman--letter dated August 20, 2014

BED AND BREAKFAST DRAFT DATED AUGUST 19, 2014--Statement of Intent--Number 2 is necessary to support # 16 requirements. Should #3 include traffic and noise? It is included in # 16, but some concern regarding term "substantially". Does substantial need to be defined, possibly with a percentage attached? Staff will get clarification from attorney, then decide whether to include in #3. Number 5 was added to encourage reuse; will spell out Bed and Breakfast and remove B&B.

Requirements--Number 3 was changed to "The B&B establishment shall be the principal dwelling unit on the property and shall be owner-occupied." Was suggested that discuss with attorney whether should read "owner-occupied or owner-managed". It is recognized as the principal residence. If need someone else to run business, name should be on lease or develop LLC. Number 4 increases setbacks to ag requirement setbacks. Numbers 7 and 8--Should number of guests mesh with number of rooms? Some rooms can have more than two guests, but if have 5 bedrooms limited to 10 guest. Will change to 12 guests. Number 10-- language will be developed to include approval from all permitting agencies. Number 16--discuss"with attorney about the word "substantially". Number 17--remove "to transient tenants". Decision made that limited events should be included for registered guests only. Specifics will be discussed at time of SUP approval.

PUBLIC COMMENT: 1) If there is a need for interpretation will staff interpret? Yes. 2) Will new structures be allowed or only reuse? Both. 3) Should look into house as principal dwelling. Maybe needs better language. 4) Would pre-existing non-conforming setbacks be allowed? Yes, if meets everything else, Town Board could approve. 5) Number of guests should be 14 to be fair in regards to standards now (8 guest for 3 rooms now). Have already changed to 12. Discussion regarding short-term rental.

Staff will make changes, and bring to September PC meeting for comments and approval. Will invite B&B owners to meeting. Road ordinance is being reviewed by attorney and then will go to engineer. Pre-existing roads is an important part to be reviewed. There are geological issues involved with older roads. Hope to bring to PC in October, depending on changes. Codification is on track. Shoreline overlay looks good: storm water ordinance is incorporated into that and can be brought into the ZO.

Next meeting: Ag Tiers on October 1, 2014 at 2:00PM.

Meeting ended 3:30PM

8/24/14 laws

PENINSULA TOWNSHIP

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MEMO

To: Peninsula Township Planning Commission

From: Planning & Zoning Department

Re: Bed & Breakfast Draft Ordinance

Date: September 8, 2014

Regarding the proposed draft Bed & Breakfast (B&B) ordinance language, the following recommendations are offered from the sub-committee for the Planning Commission's consideration.

Intent Statement

Peninsula Township may have intended the B&B Ordinance to provide residents the opportunity to preserve existing structures of historical significance that would otherwise be too costly to maintain (e.g. historic farmstead).

This intention is not conveyed in the B&B Ordinance currently. The sub-committee recommends that a 5th statement of intent is added to support the use and re-use of structures for B&Bs to strengthen and preserve the rural character of the Township.

Acreage Requirement

Increasing the minimum parcel size for a B&B may provide a more effective buffer to neighboring properties, particularly in residential zoning districts. The sub-committee recommends that the minimum lot size of a B&B is three (3) acres.

Setbacks

The sub-committee recommends increasing the setbacks for all structures of a B&B. Existing legally non-conforming structures may be approved if all other applicable standards are met.

Number of Guest Rooms

The sub-committee recommends that the number of rooms allowed at a B&B should be determined by the number of acres of the principal site of the B&B. The maximum number of rooms allowed is five (5).

Number of Guests

Considering the recommendation to increase the number of guest rooms allowed, the sub-committee recommends that the number of allowed overnight guests be increased to twelve (12) maximum.

Meals

The sub-committee recommends that B&Bs should be allowed to serve meals other than breakfast. Meals shall be for registered guests only. A registered guest is defined in the Ordinance as "a person or people that stay overnight and have signed a guest register".

Events

The sub-committee recommends that B&Bs should be allowed to hold events on-site, for registered guests only. This means that B&B events would be limited to twelve (12) participants and all twelve (12) participants are required to stay overnight.

Summary of Edits

1. Add a statement of intent emphasize the rural character of B&Bs and Peninsula Township.
2. Raise the minimum acreage requirement for a B&B establishment to between 3 acres.
3. Increase the number of guest rooms allowed based on the number of acres of the principal site of the B&B, with a maximum of 5 rooms allowed.
4. Increase the number of overnight guests allowed to 12 guests.
5. B&Bs may serve meals other than breakfast, for registered guests only.
6. B&Bs may hold events, for registered guests only.

To: Peninsula Township Planning Commission

From: Michelle Reardon, Planning & Zoning Department

Re: Agricultural Tier Language

Date: September 30, 2014

Points of discussion for the Agricultural Tier language:

1. Definitions:

Contiguous – property that shares a common border and may be separated by a right-of-way provided that right-of-way is in common ownership with the subject parcels.

Registered Guest- a person or people that stay overnight and have signed a guest register.

Arable Land – land fit for the growing of crops exclusive of mature, healthy, wooded lots.

2. Acres in production requirements: To provide consistency and an increased commitment to the land as a proprietor proceeds through the tiers staff is suggesting the following for minimum acreage requirements:
All tiers will include language stating
Tier 1 – 50% of arable land
Tier 2 – 60% of arable land
Tier 3 – 65% of arable land
Tier 4 – 75% of arable land

Suggested language also includes: "The parcel shall be at least fifty percent (50%) arable land."

To further support the use of OMP produce and to comply with the State of Michigan Department of Agriculture Farm Market GAAMPS staff is suggesting that 51% of all products sold in the tasting room and retail area are products made from produce on-site.

3. Maximum Coverage Standards – Agricultural Zoning does not currently have a maximum coverage standard. Due to the proposed tier language (i.e. acres planted, maximum size of structure) staff does not see a need for additional language regarding maximum coverage standards

4. Maximum Occupancy – Occupancy is determined by the Fire Inspector. Based on information supplied by Chief Rittenhouse this type of use would require fifteen square feet (15sf) per person of occupancy. For a winery with a 2,500 sf tasting room this would allow a maximum capacity of 166 persons.

Feel free to contact me should you have any questions.

PENINSULA TOWNSHIP SUB-COMMITTEE MEETING
October 1, 2014

Present: P. Rosi, D. Hornberger, L. Serocki
Also present: M. Reardon, E. Crafts, N. Heller, C. Hosmer, D. Edmondson, M. Chantal, M. Nadolski, J. Krupka, C. Ruzak
Agenda: Agricultural Preservation and Development Standards--Alcoholic Beverage Section (Ag tiers)

Discussion centered on Reardon memo dated September 30, 2014
1. Definition of contiguous--Several definitions of contiguous were discussed. Joint meeting of Town Board and Planning Commission determined that if property is assessed to center line of road and it is part of legal description, than that is part of property and a property divided by road would be contiguous. Staff will work on a definition of contiguous to go into the Zoning Ordinance (ZO).

2. Acres in production requirements--Discussed percentage of acreage in crops and how to incorporate tree canopy into planted land calculations. Should there be a percentage for crops and a percentage for woods? Or a total percentage without specific divisions? Want to keep rural character, so wooded areas are important. Staff will work on language incorporating both crop percentages and tree canopy percentages.

3. Maximum coverage standards--Should there be a maximum coverage? Right now there is not, but maybe there should be a cap to help preserve character. Currently, our lowest standard for maximum coverage is 15% . If used that for a 10 acre parcel there would be a maximum coverage of 65,340 square feet of impervious surface. Staff will look at current facilities and what there coverage is including winery, tasting room, deck, parking, sheds, etc.

4. Guest Activities--Should there be an agricultural use or promotion of Peninsula Township agriculture incorporated into guest activities? How events are conducted is important; have to manage impacts such as noise and parking. Impacts were in original documents and placed back into this draft. What would be the definition of registered guest and guest; will be defined and placed in Zoning Ordinance.

Other discussions: Co-op license--is there one for the peninsula? Set-backs should be consistent, so can easily develop from one tier to another level. Discussed growing grapes on peninsula, shipping fruit off of peninsula for processing, and then selling on the peninsula; not allowed at this time.

Public Comment: Glad there was an ability to comment on sections as they were discussed and not wait until end of meeting. Feel that current ordinances work; have very high standards. Some properties have ag and residential zone acreage; discussed residential acreage not being counted in total acreage for a winery. Township wants to regulate land use, not commerce. Discussed size of guest activities--Tier 3 has a number (50 people), Tier 4 depends on occupancy--should they both be based on occupancy? Staff will look at occupancy numbers for current wineries. Should wineries be allowed in viewsheds? Should there be language to support the Master Plan statements on viewsheds? Staff will look at amendment to allow minor changes to SUP without need to go before Planning Commission. Should not cap number of wineries and chateaus--they should survive or die on their own. Should there be allowances in additional acreage if there is a long-term lease with another property owner?

Next meeting: November 5, 2014 at 2:00PM Submitted: laws 10/4/14

PENINSULA TOWNSHIP PLANNING COMMISSION
SUB-COMMITTEE NOTES
NOVEMBER 19, 2014

Present: Rosi, Hornberger, Serocki
Also present: Reardon, Crafts, Heller, Nadolski, Dalese

Meeting called to order: 2:04PM

In the future, minutes will be adopted at sub-committee level and that will be added as an agenda item.

Review draft Agricultural Tiers language: Started with four points from Reardon memo dated 9/30/14. **#1**. Agreed with new definitions of contiguous, registered guest, and arable land. **#2**. Discussed if Tier 1 was necessary; does it get the Township where it wants to go? Does it protect land? Is a processing facility best suited on 10 acres? No tasting room, so sold through internet, farmer's market or possibly a co-op. Need to research co-ops; in a co-op would have one generic label and most people would want their own label. Maybe could have it custom crushed and then have own label. Look at regulations that allow wine sales at farm markets. Starting a Tier 1 would have to have potential to buy contiguous land , so that winery could move up the tier ladder. Large outlay in the beginning; potential to fail. Questioned the demand for 10 acre wineries; so far only one request. Township needs a map which depicts which land is good for grape growing. Could overlay a map over ag property and see how many 40 acre parcels are available. The wine industry goes through cycles; that's when consolidation occurs, especially in distribution. Old Mission has ten tasting rooms. Discussed AVA and what percentage of AVA wine should be required in each tier. Record keeping is different for every winery. Staff is looking at standardized record keeping for the future. Old Mission wines are perceived as having quality preparation. Tier 3 has the lowest number of acres in production; have to change acreage in production equation. **#3**. Staff determined that maximum coverage was not necessary and recommended removing from document; committee agreed. Discussed 330 feet of road frontage. Discussed set-backs; maybe 200 feet from a residence is too low. **#4**. Discussed maximum occupancy. Fire Inspector determines occupancy; this use requires fifteen square feet per person. A winery with a 2500 square foot tasting room (Tier 4) would have a maximum capacity of 166 people inside and an outside tasting room would be allowed with the same number. Have to balance use with numbers. Need parking, but do not want too much concrete. Other topics discussed: Pre-existing buildings; is the age of the structure important? Only one access drive required; maybe an emergency access should be included? Does equipment have to be enclosed or covered? Some farm buildings have a roof, but not four walls. Language will be changed that equipment has to be covered. Does parking have to be graveled? Tier 4 has language on tents, but not Tier 3; should they be similar? Number of guests at Tier 3 events are not based on tonnage, but are limited to 50 people. Number of Tier 4 events are determined by inside maximum occupancy. Language does not state "No weddings". Staff feels that if wedding has an ag component or an ag promotion it would be included. What was reasoning for no weddings when original ordinances written? Will look at history. Concerns regarding weddings might include: size, noise, and parking. Would renting property be considered "more commercial". Would weddings be opening up a can of worms? Do not want to create an event venue. Regardless of use (wedding, reunion, family dinner) there would have to be an ag component and there would a designated area, no tents, and no amplified music; parking could be a problem. The Natural Disaster Provision statement and a statement regarding Remote Tasting Rooms only in commercially-zoned properties will not be located in each tier; maybe one general mention at the beginning of the

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MEMO

To: Peninsula Township Planning Commission Subcommittee

From: Planning & Zoning Department

Re: Bed & Breakfast Draft Ordinance

Date: January 15, 2015

Regarding the proposed draft Bed & Breakfast (B&B) ordinance language, the following recommendations are offered from P&Z staff. These suggestions stem from the Planning Commission discussion at the September 15, 2014 regular meeting:

Meals

The sub-committee recommends that B&Bs should be allowed to serve meals other than breakfast. The Planning Commission requested that the following language be added regarding meals:

Meals served may include those other than breakfast.

Staff feels that this is redundant and recommends the keeping the language as proposed:

Meals served shall be for registered guests only.

Events

The Planning Commission requested further parameters to define events held for registered guests only. Staff suggests the following language:

Events shall be for registered guests only and are subject to the following conditions:

i. *No more than twenty (20) events are allowed per calendar year.*
ii. *No more than two (2) events are allowed per calendar week.*
iii. *Events must take place between 6:30 p.m. – 9:30 p.m.*
iv. *No amplified music is allowed.*
v. *Monthly notification to Peninsula Township staff is required indicating the schedule for future planned events.*

To: Peninsula Township Planning Commission

From: Michelle Reardon, Planning & Zoning Department

Re: Agricultural Tier Language

Date: January 21, 2015

Winery language changes since last meeting:

1. Tier 1: This language may be unnecessary since we currently allow Food Processing Facilities, Section 8.5. This section currently allows the activity in Tier 1.

2. Tier 3: Staff recommends deleting this section. Special Open Space Use, Section 8.7.2 (3) & Section 8.7.3 (3) can be utilized to allow for flexibility of uses on acreage near a winery.

3. Language will be amended to require that agricultural equipment shall be stored in a structure that has a roof but does not require walls.

4. Regarding produce requirements staff suggests the following:
   a. a winery shall be required to have specific percentage of arable land (50%/75%) in usable crops;
   b. 85% of the produce sourced from OMP; and
   c. 51% of the produce shall be sourced from the specific farm dedicated to the use.

Staff suggests we discuss the ramification of this new requirement on Tier 4 (Winery Chateau).

5. We discussed moving the natural disaster provisions to an over-arching paragraph to cover the tiers. However, the new ordinance format requires this standard be included within the sections.

6. Remote tasting rooms shall be included in the special uses permitted in a Commercial district and shall be modeled on a combination of the original tier language and the current remote tasting room language.

Feel free to contact me should you have any questions.

PENINSULA TOWNSHIP PLANNING COMMISSION
SUB-COMMITTEE NOTES
January 22, 2015

Present: P. Rosi, D. Hornberger, L. Serocki
Also present: M. Reardon, E. Crafts, M. Nadolski, N. Heller, J. Krupka, C. Baldyga, J. Kroupa, M. Peters, C. Ruzak

Meeting called to order at 2:01PM

Agenda amended. Number 2 will be Bed and Breakfast; Number 3 will be Ag Tiers.

1. Minutes of November 19, 2014 Approved without change.

2. Review draft B&B language (Section 8.7.3.6). Discussed memo from Planning Department dated January 15, 2015. MEALS--Removed first sentence from (b)16. in draft to reduce redundancy. EVENTS--Will change (b)17.i. to "No more than twenty (20) outdoor events are allowed per calendar year." Will amend (b)17.ii to "No more than two (2) outdoor events are allowed per calendar week." Also, (b)17.iii will be changed to "All events shall end by 9:30."
Discussed: (b)4.v.--two hundred feet set-back from crops is for noise as much as for spray. If property is abutting ag land, could 200 feet set-back be lessened? How far should a B&B be from other uses?? How many complaints are made regarding ag noise and spray? The impact is on the B&B, not on the crops; could be reduced. Staff will look into B&B set-backs from ag crops. (b)7. Should occupancy level be increased? As written a B&B with 3 bedrooms can have 12 guests (4 per room), but a B&B with 5 bedrooms can only have 12 guests. Will leave at 12 guests per B&B. (b)9. How is square footage per bedroom measured? Measured by interior wall. (b)15. B&B establishments cannot rent snowmobiles, ATVs or similar vehicles. Can registered guests bring vehicles? B&B would need parking area so that additional vehicles would be parked legally. Is the phrase "in conjunction with the operation of the establishment" necessary? Should be reworded or removed. If B&B is sold, the SUP goes with the property. Events will not be defined in the ordinance, but there will be a definition in the Zoning Ordinance. Owner would be allowed to have a garden plot closer than 200 feet to the B&B. Owner would be allowed to have a roadside stand. Discussed ag events in association with B&B; that is a value-added event and not included in this ordinance.

3. Review draft Winery language. Discussed memo from M. Reardon dated January 21, 2015. Started with #3. which requires agricultural equipment to be stored in a structure. Can it be a covered structure or is it necessary to have walls? Is this language necessary? Section will be removed. #5. Natural disaster statement. Because of ZO's new format, this statement will be placed in Use By Right section and SUP section not in an over-arching paragraph to cover all tiers. #6. The ag tier language allowed Remote Tasting Rooms only in commercially zoned districts. The current Remote Tasting Room ordinance is tightly interpreted. Look into allowing them as currently written or in a commercial property. #1 and #2--Why are we going to tier language? Tier 1 could be

covered under food processing if some changes were made to the food processing ordinance. Standards would have to be tightened. New language allows for retail sales on site. Current ordinance does not allow for smaller vineyards; forced to build big structures. Could have custom crushes done at other wineries. Staff will go back and refine food products and work on fermented products instead of having a Tier 1. Tier 3 allows 139 wineries to have more opportunities without becoming a chateau. Tier 3 as written looks a lot like Bower Harbors' SUP. Every event at a chateau preserves some ag property on the peninsula as have to use OMP grapes to be allowed events. Should 139 wineries be allowed events too, as they are preserving ag too? There are three main benefits to being a chateau 1.) Can have a B&B, 2). Can have events, 3). Can purchase bulk grape juice, which is very profitable for the winery. Old Mission wines are special; have a very good image. Winery owners will have to look at new ordinances and decide if they want to give up what they have to get something in the new ordinance. GAAMPs now allows tasting at farm markets. Attorney will have to interpret. Peninsula Township needs to get closer to GAAMPS regulation. Need to work on Farm Processing, Remote Tasting, Food Processing, and Chateaus. Take what we have learned from tier language and put it in existing ordinances. Lots of work and lots of people had input in Tier Language. Did not discuss #4 (Produce requirements).

4. Public Comment. All public comment was made during the meeting.

Next meeting Thursday March 12, 2014 at 2:00PM.

Meeting adjourned 4:05PM
laws

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MEMO

To: Peninsula Township Planning Commission Subcommittee

From: Planning & Zoning Department

Re: Bed & Breakfast Draft Ordinance

Date: January 27, 2015

Regarding the proposed draft Bed & Breakfast (B&B) ordinance language, the following recommendations are offered from P&Z staff. These suggestions stem from the Planning Commission subcommittee discussion at the January 22, 2015 work session:

Events

The Planning Commission requested further parameters to define events. All events, indoor and outdoor, shall be for registered guests only.

Staff suggests the following restrictions for outdoor events only:

Outdoor events are subject to the following conditions:

i. *No more than twenty (20) outdoor events are allowed per calendar year.*
ii. *No more than two (2) outdoor events are allowed per calendar week.*
iii. *Outdoor events shall end by 9:30 p.m.*
iv. *No amplified music is allowed.*
v. *Monthly notification to Peninsula Township staff is required indicating the schedule for future planned outdoor events.*

In order to track the number of outdoor events at a B&B, staff suggests a definition for "event" be added to Section 3.2 of the Ordinance as follows:

Event: Means a planned occasion or activity which requires a date, time, and location to be reserved prior to the activity taking place.

Agricultural Setback

Staff does not recommend changing the required 200' setback from the B&B residence and agricultural crops. The standard as currently expressed allows for flexibility from this requirement and puts the onus on the applicant to demonstrate that a lesser setback will mitigate harmful impacts to the B&B and surrounding agricultural crops.

SUB-COMMITTEE MEETING
March 12, 2015

Present: P. Rosi, D. Hornberger, L. Serocki
Also Present: M. Reardon, N. Heller, M. Nadolski, D Edmondson, M. Peters, J. Kroupa, B. Lillie, C. Baldyga

Meeting called to order at 2:06PM.

1. Minutes. Minutes approved without change.

2. Review draft Winery/Processing language. There will be five ordinances regarding food processing: Food Processing Plants, Farm Processing Facility/Use by Right, Winery Chateau, Remote Tasting, and Local Food Processing. Reviewed draft for Food Processing Plants which includes current ordinance Section 8.5, former Tier 1 language, and Cottage Food Production Facility ordinance. Two questions that committee should address: what is the minimum acreage allowed and should all wines be designated AVA? Cottage Food Production is 5 acre minimum; Tier 1 is 10 acre minimum. New draft reads "minimum size requirements for an agricultural zoned parcel unless it is recognized as a legal non-conforming parcel of record." There would be no tasting, no retail component, just processing. Could have a road-side stand if in excess of five acres; wine would have to be licensed. Wording for acreage will remain the same. Will leave AVA limit in ordinance. Should there be a limit on building size? Decided that there should be a maximum square footage. Discussed experimental kitchens where space could be rented for processing. The renting of the facility would constitute a commercial enterprise. Keep the fruit local; 51% has to be grown on peninsula. What about land in production, but not in processing? Would use language similar to the chateau language. Names of ordinances will change so it will be less confusing; tiers will be gone.

Reviewed draft Farm Processing Facility/Use By Right Winery which incorporates the section previously called Tier 3. The main change from winery language currently used for Farm Processing Facility is the addition of accessory uses. Guest activities would be allowed if they included an agricultural production promotion as part of the activity. Guest activities would be limited to 50 people with 20 events a year, two per week and would take place during normal working hours ending by 9:30PM. Notice would be given to the township on a monthly basis. Sixty-five percent of the land would have to be in production; discussed changing language to include "arable." Parking would have to accommodate guest use. Retail sales would be allowed inside only. Facility would have to be located on a public road.

3. Public Comment. How many categories will there be? At this time there will be

five processing ordinances and also roadside stands. As language is completed, the large chart will be filled in; should make options and requirements readily available. Will be discussed later if the chart should be included in the ZO. Discussed GAAMPS and the need to fit that in to ordinances. Would a beer tasting facility work if it needed such a high percent of ag crop in the product? A small amount of hops is needed per batch. Beer and spirits could be done through the Farm Processing ordinance, but could not sell or taste on peninsula unless in commercial district. Spirits could be sourced from fruit on the peninsula, but beer could not. Might need a brewery ordinance in the future, but not at this time.

Meeting adjourned at 3:48PM
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SUB-COMMITTEE MEETING
April 16, 2015

Present: P. Rosi, D. Hornberger, L. Serocki
Also Present: M. Reardon, N. Heller, M. Nadolski, M. Peters, J. Kroupa, C. Baldyga, M. Dalese, B. Bickle

Meeting called to order at 2:03PM.

1. Minutes. Minutes approved without change.

2. Review draft Winery/Processing language. Reardon noted the following changes are to be discussed: Source of Produce (Winery/Chateau and Use By Right), acreage requirements (Use By Right), and Accessory Uses (Winery/Chateau and Use By Right). She also wishes to discuss the need for an onsite resident manager at a Winery-Chateau which does not have a B&B and if the Local Food Production Facility could replace the Road Side Stand ordinance. It was determined that on-site resident manager is not necessary if there is not a B&B. Local Food Production Facility ordinance cannot replace Road Side Stand ordinance.

Local Food Production Facility: Statement of Intent will be reworked so that all ordinances start with the same intent and then go into further detail for each section. Two hundred feet from pre-existing residence will be added. Once the basic ideas are agreed upon, all ordinances will have the same order and the same numbering. Because a public road is required, this ordinance will not work for roadside stands. Retail space under 3.a. should read "No less than 50%…." It will also contain wording that 85% shall be grown on Old Mission. Under 3.b. should read "…..no greater than 15% of the retail space." These changes will be made on all ordinances. There will be a statement regarding data and record-keeping. Parking must contain space for employees and note if it is paved or a hard-packed surface. Time will be changed to end at 9:30 PM and not include a start time. Food Production has a retail component; Food Processing does not. Local Food Production Facility will state " does not include alcohol" in the intent. Discussed increasing setback from a pre-existing home from 200 feet, to 300 feet or 400 feet. Will discuss at PC. Local Food Production would cover pies, jam, salsa, maple syrup, etc. Discussed if 6,000 sq feet is too big.

Food Processing Plants: Remove first section "Authorization". Is there a need for size limits? Could be a larger scale food with no retail; do not want to take away a use already have. Will investigate size. Will add impervious surface to all ordinances. Concern was expressed that this could be industrial. Could this be a co-op? Could not be a co-op as written because produce is not from leased land. Co-ops will be looked at down the road; will be discussed with attorney. AVA is not required. Site plan review will be on Food Processing and Winery Chateau ordinances and will have to meet a base standard.

Winery/Chateau: Is an on-site manager needed at a winery that does not include a B&B? An on-site manager will only be required if there is a B&B. Number of rooms is related to size of property. Seventy-five percent of the land must be arable (suitable for growing crops); 65 must be in crops. This will protect woodlots which are important for the rural character. Woodlots could also utilize maple syrup. Discussed equivalents on Page 1 and 2. Should allow single homes to be built on chateau acreage? Ordinance now allows 6 houses to be built on 5 acres of ag land. Tier 4 did not allow single family homes on the winery/chateau acreage. Will discuss at the PC. Dried fruit was in previous ordinance and shall remain. Should there be a maximum size on the tasting room? Winery/Chateau is tied to maximum capacity already. Food Retail License allows light prep and plating; Extended Food Establishment License allows kitchen. Page 4 3g. In current ordinance,

guests of the B&B cannot invite anyone to events. Now it reads that they can invite someone if it promotes ag; does this need clarification? Page 4 Township Wide Events: are they Township events or WOMP events? It is a promotional event for the wineries but not closing roads or using parks. It is not a Guest Activity as the events are free and open to the public. Permission was obtained from Town Board after events were successful the first year. Discussed retail sales. Get rid of percentage and keep track of sales. Will allow logo merchandise, but only 20% of retail sales area. Should not over-manage retail, but do not want it to be a store. The retail is selling the ag component, so it has to be tied to land. Needs to be refinement on what can be sold. Guest Activity Uses are based on tonnage; will look at removing 1.25 tons per guest if 51% of product has to be grown on peninsula.. Guest Activity Uses are tied to ag; there has to be ag in events. Strengthen 6b in terms of ag component in events. Looking to mitigate impacts, not determine who can attend. 6f.will be changed from "social gathering" to Guest Activity Uses. Parking size will be based on indoor and outdoor tasting room capacity. Will remove from #7 "If wine is served, it shall only be served with food and shall be limited to Old Mission Peninsula appellation wine produced at the Winery." If there is a B&B the property has lost those development rights; if B&B was destroyed, the development rights would be returned to the property.

Use By Right: Tighten up language regarding the parcel size; it is confusing. Guest Activities must be tied into ag, but will not list events allowed. Will define ag function. Number of people at events will be changed to 50 people or fire safety maximum, whichever is less. There must be a designated room for Guest Activity Uses; cannot be in Tasting Room when the Tasting Room is open to the public. It could be a designated portion of the Tasting Room that is not used during tasting hours. Discussed the use of tents and canopies; can the stipulation that they are not allowed by dropped? It is not in keeping with the rural character, but will discuss this further. Underground portion of a building does not have a size limit. Site plan review will include topography and topography changes. Need to know where storm water is going. Will be in all large scale development, but not in residential. Discussed size of building which at this time is 12,000sq ft; is that too big? Page 5 Development Rights Retained is from current ordinance and can be placed on contiguous property, but not the 40 acres used for the winery. Should that be changed?

3. Public Comment: It is good to be able to have a discussion in a positive environment.

To Be Discussed with Planning Commission: Setback from pre-existing residence.

Single family homes on acreage counted in winery/chateau calculations.

Next meeting not scheduled.

Meeting adjourned 5:00PM.

laws 4/19/15

Reardon Once everything is planted according to what they have proposed (including air drainage) there will be 86% on site. Also there are other areas under-production on Old Mission Peninsula that cannot be used as they are tied up in another Special Use Permit

Rosi questioned the proposed preservation and use of the Sugar Maple area. *Lagina* answered that they are working with a forester. Also discussed the slope stabilization of which Reardon stated that the Peninsula Township engineer has been reviewing the slope stabilization.

Serocki would like the Findings of Fact (page 5 E.) to mention food preparation approval; what the projected dates for the next phases were (*Lagina* over the next 3 years); and concerns over the private road via Underwood Ridge (*Hosmer* indicated that there is an easement but that they will be asking permission from Underwood as well). **Serocki** also questions separate guest rooms; perhaps the Township should consider drainage areas in their standard for calculations; and if there was adequate parking available.

Peters asked why the acreage could not be planted by next year. *O'Keefe* I am being pressured to plant all the acreage by this spring. But when you move soil it is not good to rush things, and he is concerned that it will be a weak vineyard in front in order to meet a Township requirement. They would love to have another season of growing a cover crop. Area #I will be planted this spring. Area #B would like to have it more stable. Area #D requires more work and it is the area of future construction.

Wunsch states that a two to three-year process for crops is reasonable.

Wendling concerning the separate guest rooms. Under the ordinance principal guest rooms and guest units are one and the same for purposes of the definition.

MOTION: Rosi/Peters to hold a public hearing on the Mari Vineyards SUP#126 request scheduled for the next meeting in December 2015. **PASSED UNAN**

2. Peninsula Township Zoning Ordinance Text Amendments (Introduction and Discussion)

a. Section 3.2 Definitions (Bed and Breakfast Establishment, Event, Dwelling, Structure)
b. Section 7.10.11 Existing Non-Conforming Frontage Roads
c. Section 8.7.3 (6) Bed and Breakfast Establishments
d. Section 7.5.5 Additions to Non-Conforming Structure
e. Section7.11.6 Sign Placement and Requirements Table

Review of the Text amendments was presented was by Peninsula Township staff. The Planning Commission made further review and recommendations. The results of that discussion are presented below:

Section 3.2 Definitions

Bed and Breakfast Establishment: A private residence that offers rental sleeping accommodations to register guests in five (5) or fewer guest rooms. The owner resides in the establishment while managing the renting of the rooms to registered guests. Food and/or beverages can be served at no extra cost to the registered guests.

Event: A planned gathering or activity on a set date & time, and at a specific location.

Dwelling: A single building, or portion thereof, providing complete independent living facilities for one (1) family for residential purposes, including permanent provisions for living, sleeping, heating, cooking, and sanitation.

Structure: anything constructed or erected, the use of which requires a temporary or permanent location on the ground or is attached to something having a permanent location in, on or below the ground. Structures shall include but not be limited to buildings, manufactured homes, walls, fences over six (6) feet in height, billboards, signs, and towers, but not including: (a) a temporary fence: (b) agricultural fences that are used for general farming and horticultural uses, field crop and fruit farming, raising and keeping of small animals and livestock; (c) access steps required to negotiate changes in site elevation; (d) landscape mounds.

Section 7.10.11 Existing Non-Conforming Frontage Roads:

Roads existing and used as frontage roads at the time this amendment is approved but the use may not be increased without coming into compliance with frontage road standards under this Ordinance.

Section 8.7.3 (6) Bed and Breakfast Establishments:

(a) Statement of Intent: It is the intent of this subsection to establish reasonable standards for Bed and Breakfast Establishments to assure that:
1. The property is suitable for transient lodging facilities.
2. The impact of the establishment is no greater than that of a private home with overnight house guests.
3. The use and adaptive re-use of structures for Bed and Breakfast establishments is encouraged to strengthen and preserve the rural character of the Township.

(b) The following requirements for Bed and Breakfast establishments together with any other applicable requirements of this Ordinance shall be complied with:
1. The minimum lot size shall be three (3) acres.
2. Off-street parking shall be provided in accordance with Sections 7.6.3 and 7.6.4 of this ordinance.
3. The Bed and Breakfast establishment shall be the principal dwelling unit on the property and shall be owner-occupied and have on-site owner-management when open for business.
4. All structures shall adhere to the following setbacks:
   i. Thirty five feet (35') front setback
   ii. Fifty feet (50') side setback
   iii. Fifty feet (50') rear setback
   iv. Sixty feet (60') Ordinary High Water Mark setback
   v. Existing legally non-conforming structures which do not meet the required setbacks may apply for a Bed and Breakfast establishment special use permit, provided that all other standards have been met and Township Board approval is granted.
5. The residence shall have at least two (2) exits to the outdoors.
6. The maximum number of sleeping rooms in the residence to be used for rental purposes shall be determined by the acreage of the principal site as follows:
   i. Three (3) or more but less than ten (10) acres shall have a maximum of three (3) guest rooms.
   ii. Ten (10) or more but less than fifteen (15) acres shall have a maximum of four (4) guest rooms.
   iii. Fifteen (15) or more acres shall have a maximum of five (5) guest rooms.
7. Not more than twelve (12) overnight guests may be accommodated at any time.
8. The rooms utilized for sleeping shall be a part of a dwelling that has received an occupancy permit prior to the application for a Bed and Breakfast Special Use Permit.
9. The rental sleeping rooms shall have a minimum size of one hundred (100) square feet for each two occupants with an additional thirty (30) square feet for each occupant to a maximum of four (4) occupants per room.
10. The Bed and Breakfast establishment owner shall furnish necessary permits or approvals required from the Grand Traverse County Health Department, Soil Erosion and Sedimentation Control Department, Road Commission and all other applicable local, state, and federal regulating agencies.
11. The Township Board shall require that a floor plan drawn to an architectural scale of not less than 1/8" = 1 foot is on file with the Fire Department.
12. Each owner/operator of a Bed and Breakfast Establishment shall keep a guest registry which shall be available for inspection by the Zoning Administrator, and police and fire officials at any time.
13. The length of stay for each registered guest shall not exceed seven (7) days within any thirty (30) day period.
14. Rental or use of snowmobiles, ATVs or similar vehicles, boats and other marine equipment by registered guests shall be prohibited.
15. Food and/or beverages served shall be for registered guests only.
16. All events shall be for registered guests only.
17. Outdoor events are subject to the following conditions:
   i. No more than twenty (20) outdoor events are allowed per calendar year.
   ii. No more than two (2) outdoor events are allowed per calendar week.
   iii. All outdoor events shall end by 9:30 p.m.
   iv. No amplified music is allowed.
   v. Monthly notification to Peninsula Township staff is required indicating the schedule for future planned events.

Section 7.5.5 Additions to Non-Conforming Structure:

(1) The Zoning Administrator shall issue a land use permit for an addition to a lawful non-conforming structure provided all of the following are met: (SEE FIGURE 3)

(a) the addition is not located in any required yard or ordinary high water mark setback; and

(b) in addition to the above yard and ordinary high water mark setback requirements, all other applicable dimensional requirements on the subject parcel shall be satisfied (other than what is lawfully non-conforming).

Section 7.11.6: SIGN PLACEMENT AND REQUIREMENTS TABLE CONTINUED

(d) The following signs require a sign permit issued by the Zoning Administrator unless approved by the Township Board either as part of a Special Use Permit or as an Event Permit.

Additional Text amendments will be presented at the next Planning Commission meeting. Following that the changes will be published and a public hearing will be held.

3. SUP# 32.2nd Amendment and SUP#125 – Bowers Harbor Vineyard – Tabled from Planning Commission Meeting held on October 19, 2015.

MOTION: Peters/Wunsch to un-table the motions on SUP #32 2nd Amendment and SUP#125 from the Planning Commission meeting held on October 19, 2015.

PASSED UNAN

MOTION: Peters/Wunsch to move SUP#32 2nd and #SUP 125 – Bowers Harbor Vineyard to Old Business on the December Planning Commission meeting.

PASSED UNAN

Citizen Comments

None

Board Comments

Rosi the Planning Commission will be doing double duty for the Zoning Ordinance with the expectation that it will be done by next year.

Reardon Update on "Seasonal" from Town Board. The Policy direction is that roadside stands should be "seasonal".

MOTION: Couture/Serocki to adjourn at 8:46 P.M.

Respectfully Submitted,
Mary Ann Abbott, Recording Secretary

These minutes stand to be approved at the next meeting scheduled for December 21, 2015.

PENINSULA TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
February 22, 2016

Meeting called to order at 7:07 p.m.

PRESENT: Leak, Serocki, Rosi, Peters, Wunsch and Hornberger
ALSO PRESENT: Michelle Reardon, Director of Planning and Zoning; **Claire Schoolmaster**, Planning and Zoning Coordinator; **Peter Wendling**, Township Attorney and **Deb Hamilton,** Recording Secretary
ABSENT: Couture (excused)

APPROVAL OF THE AGENDA
MOTION: Hornberger/Serocki to approve the Agenda as presented. **MOTION PASSED**

BRIEF CITIZEN COMMENTS – FOR ITEMS NOT ON THE AGENDA
None

CONFLICT OF INTEREST
None

CONSENT AGENDA
1. Reports and Announcements
2. Correspondence
3. Meeting Minutes
   January 11, 2016 – Special Meeting
   Serocki - Page 4. – "intended use for" should be "intended kitchen amenities"
   Peters - add Wunsch to present
   Rosi - Page 3 - change "cold drainage" to "air drainage"
   Page 4 - Old Business "." at the end of meeting.

MOTION: Hornberger/Peters to approve January 11, 2016 minutes with corrections.
MOTION PASSED

MOTION: Hornberger/Wunsch the Consent Agenda. **MOTION PASSED**

Rosi said the Fire Chief has opted to leave. The Township Board is having weekly budget meetings. The Presidential Primary Election is March 8, 2016.

NEW BUSINESS
1. Zoning Ordinance Amendment #190 (Public Hearing and possible recommendation to Township Board)
Reardon reviewed Amendment #190. Corrections – remove "Among other things" from and add "but not be limited" to the definition of Structure, (2) Rules (b) "Variance" should be "variance", and remove "zoning" from "zoning fees" under Section 4.3 Escrow. **Leak** said Bed and Breakfast was pretty liberal and would not want a Bed and Breakfast in his neighborhood. **Rosi** said this will allow people to stay on Old Mission Peninsula short term.

Leak opened public hearing at 7:29 p.m.

Cindy Ruzak, 1994 Carrol Rd., Grey Hare Inn, said very involved with committee that developed the amendment. This is a great improvement. Respectfully disagrees with Leak that the Amendment is liberal. There are two operating Bed & Breakfasts are Grey Hare Inn and Overlook Bed and Breakfast and both have significant acreage. She loves that this new proposal will create a varying scale where the more acreage the more allowed to do. There was a big gap between Bed & Breakfasts and winery-chateaus. This will go toward resolving that issue. There are additional clarifications. One, in the definition of Bed & Breakfast – "food and/or beverages can be served at no additional cost to the registered guest". The intent was to allow some flexibility. Maybe it should be food and beverages can be served to the registered guests. It is micro-managing how rooms are charged. Two, "owner-occupied and have on-site owner management when open for business." There needs to be some flexible here. Also an event is when someone goes beyond the normal activities. There is a different way to look at events.

Chuck Goodman, Overlook B & B, 1875 Gray Rd., it would be easy to be insulted by the notion that a B&B is something you would not want next door. There are other B&Bs. They are a section of the winery-chateau ordinance. If do not need B&Bs the best way to get rid of them is to restrict them out of practicality. If no need for B&Bs, why need wineries? The reason to have B&B is to attract people to a beautiful location. B&B should be able to have same amount of rooms that a winery has if they have the acreage. It is a good idea to have some oversight. It is tough to compete with people not paying attention to the Township ordinances. Winery-chateaus solve home owner issue with an on-site manager. His experience working with Township is it has been a top down kind of control situation. Finally fairness is not happening here and equal protection clause cannot discriminate between groups of people doing the same thing. The winery-chateaus and B&Bs have different operating rules.

Ed O'Keefe, 12301 Center Rd., the problem is when you rent rooms you lose your ability to do things you could when you owned your house. He has 50 acres restricted for six rooms. Not sure room size restrictions. Only problem he has had neighbors playing music. Why have B&Bs lose rights of a regular home owner?

Cristin Hosmer, 17593 Shii Take Trl., asked "what use may not be increased" means in Section 7.10.11 Existing Non-Conforming Frontage Roads.

Curt Peterson, 1356 Buchan Dr., said he feels B&Bs could perform important function. Why have people go back to Traverse City and spend their money? The Amendment seems even stricter than it is now. The Township should support this type of business.

Leak closed public hearing at 7:51 p.m.

Reardon said explained the existing non-conforming frontage roads language as an increase of use is an additional parcel being created would trigger an improvement to the road. **Peters** said she had difficulty with the Existing Non-Conforming Frontage Roads language also. Also Ruzak's comment on owner occupied was good. Could Section 8.7.3(6) (b) 3. on-site owner management be tweaked. Need time for the owner to be away and have on-site management. **Reardon** said could change to winery-chateau language which is "on-site residence manager". **Rosi** said the language was on-site owner management because of issues with short term rentals. **Hornberger** would like to see something in (b) 3 so the owner can go on vacation. **Rosi** said they can close.

Hornberger asked if the Commission has an opinion about dropping "at no extra cost" from Bed and Breakfast Establishment definition. **Leak** said the guest can go to other restaurants on the Peninsula. **Reardon** suggested "at an included cost" instead of "at no extra cost".

MOTION: Rosi/ Serocki to bring back Frontage Road and B&B and send the rest on to the Township Board. **MOTION PASSED**

There was discussion about what part of B&B will be brought back. There was consensus that the definition of B&B will be brought back.

2. Master Plan 5-year review (Introduction and discussion)
Reardon reviewed Land Use Series Check List #1H - The Five-Year Plan Review published by MSU Extension. **Reardon** asked the Commission to focus on page 3. **Peters** said the Master Plan background statistics need updating. Peters would like to have to the current Master Plan on the front page of the Township website. **Reardon** said staff will get together a fact book and memo of action items and status. **Rosi** said one of the goals was to develop a capital improvement plan in accordance with State mandates. Schoolmaster and Rosi are going to a class on this.

OLD BUSINESS
1. SUP #32 2nd Amendment – Bowers Harbor Winery (recommend to table)
Reardon said the Township Board declined to take action on this issue. Reardon and Wendling will be meeting with the applicant.

MOTION: Peters/Wunsch to continue items 1 and 2 under Old Business until the March meeting. **MOTION PASSED**

2. SUP #125 – Dining in the Vines/Bowers Harbor (recommend to table)
(See #1 above)

3. **SUP #126 – Mari Vineyards Winery-Chateau (Public Hearing and possible recommendation to Township Board)**
Reardon reviewed the changes. Marty Lagina said he was here almost two months ago and at that time requirements of the ordinance were met. The main concern was the guest house. Lagina reviewed changes - new location of the guest house, the elimination of the path to Underwood Farms and elimination of solar panels. The formal request from Underwood Farms was to put one or two homes and move the guest house. They have reached a tentative deal with Underwood Farms. *Lagina* said he did what the people around us requested. They met the ordinance last time and meet the ordinance now and process has worked. *Lagina* asked respectfully for the Commission to pass this along to the Township Board for approval.

Serocki asked what time the tasting room will close. *Lagina* said will follow WOMP. **Serocki** asked about parking for guest activity uses when the tasting room is open. Lagina said there are flat grassy areas for extra parking. **Serocki** asked if a kitchenette and wet bar will be in all the guest rooms. *Lagina* said yes. **Rosi** asked about the vegetative buffers. *Lagina* explained. **Rosi** asked if maple trees will provide enough syrup. *Lagina* said yes. **Rosi** asked about timing of plantings. *Sean O'Keefe* said the cover crop went in last year, compost and dairy doo. Planting is on track and vines are ordered. **Peters** asked about the vines up to the lots 1-4 and lot 5 and fencing. **Reardon** said fencing is not required.

PENINSULA TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
March 21, 2016

Meeting called to order at 7:05 p.m.

PRESENT: Leak, Serocki, Rosi, Peters, Wunsch, Couture and Hornberger
ALSO PRESENT: Michelle Reardon, Director of Planning and Zoning; **Claire Schoolmaster**, Planning and Zoning Coordinator; and **Deb Hamilton,** Recording Secretary
ABSENT: None

APPROVAL OF THE AGENDA
Serocki asked to add SUP 32 2nd amendment and SUP 125 to Old Business.
MOTION: Serocki/Peters to approve the Agenda as amended. **MOTION PASSED**

BRIEF CITIZEN COMMENTS – FOR ITEMS NOT ON THE AGENDA
None

CONFLICT OF INTEREST
None

CONSENT AGENDA
1. Reports and Announcements
2. Correspondence
3. Meeting Minutes - February 22, 2016

Serocki Page 2 – "Reardon said explained..." should be "Reardon explained.."
Page 3 – add after Lagina said yes. "Serocki asked Wendling if this is rented for seven days, would that be considered a short term rental and set a precedent. Wendling said he assumes what they are doing is renting these guest rooms on a daily basis. It does not prevent people from renewing their daily rental but it is not the same thing. Serocki asked it would not set a precedent. Wendling said no, it is just like someone in a hotel room that decides to rent it."
Page 4 - "underwood ridge" should be "Underwood Ridge"
Rosi Page 2 – add "she has been" to Cindy Ruzak comment.
Hornberger Page 2 – "flexible" should be "flexibility".

MOTION: Wunsch/Rosi to approve February 22, 2016 minutes as amended. **MOTION PASSED**

MOTION: Hornberger/Wunsch to approve the Consent Agenda. **MOTION PASSED**

NEW BUSINESS
None

OLD BUSINESS
1. Zoning Ordinance Amendment #190 (Discussion)
Reardon said she would defer to Wendling's letter regarding Section 7.10.11. Wendling also provided a definition for Bed and Breakfast Establishment.

Bed and Breakfast Establishment: A private residence that offers sleeping accommodations to ~~paying,~~ registered guests in five (5) or fewer guest rooms in the same structure ~~with each guest room having a maximum occupancy of two (2) persons~~. An owner resides in the establishment while managing and renting the rooms to ~~paying,~~ registered guests. Food and/or beverages may be served ~~at no extra cost~~ to ~~the paying,~~ registered guests.

Serocki said she thought that some of the rooms could have two people and some of the rooms could have four. **Reardon** said there is a maximum capacity for any B&B and that is 12 regardless of the number of rooms and a maximum occupancy of each room being four. **Serocki** asked to strike "with each guest room having a maximum occupancy of two (2) persons". **Serocki** asked about the "," after "paying". **Couture** asked why "paying" is needed. **Reardon** said "registered guest" is defined. **Hornberger** asked to drop the "paying". **Reardon** said the Commission did say they want to discuss further "Food and/or beverages may be served at no extra cost to ~~the paying,~~ registered guests." **Couture** said Wendling's letter states "at no extra cost" can be eliminated. **Hornberger** said her preference would be to drop "at no extra cost". **Serocki** asked to either have "to registered guests" or "to the registered guests" but not both. There was Commission consensus to drop "the".

MOTION: Hornberger/Couture that the definition be approved and sent to the Township Board. **MOTION PASSED**

Rosi said she may have a conflict of interest because her family owns 450 ft. on West Bay with one cottage and her brother-in-law owns 450 ft. with one house. It is the intent what one day their children may build a cottage or house. Rosi does not like the way Wendling proposed Section 7.10.11 because she did not think she had a conflict. **Reardon** said when the Commission had the discussion the Commission wanted to continue to be able to issue Land Use Permits without a variance so long as density is not increased on legal non-conforming roads. Increase density comes into play when there is an increase in parcels that are serviced by a legal non-conforming road. There was consensus to table this issue until Wendling can advise.

MOTION: Wunsch/Hornberger to table Section 7.10.11 until the April meeting.
MOTION PASSED

2. Master Plan 5-year review (Discussion)
Reardon reviewed the information provided to the Commission regarding the Master Plan 5-year review. **Peters** reviewed the information she provided the Commission. **Peters** asked if there is a traffic count along Center Rd. **Reardon** said she can get that information. Network Northwest should be putting something together for transportation planning here in the region. There was discussion about connectivity between subdivisions. **Reardon** asked the Commission to look at some of the presumptions that the Master Plan is based. Is there anything else besides Land Use Permits, demographics and traffic counts that are used as presumptions? If yes, let staff know so the Commission can have immediate information about those presumptions. Reardon also asked the Commission to go back to the MSU Extension Guide Book and make sure all of the fact book information is in front of the Commission and look at the 10 or so questions in the Guide Book. **Peters** recommended the Commission look over the statistics from the previous Master Plan. Peters would also like to figure out how to get some public input. **Reardon** said the five year review of the Master Plan is not a rewrite. There will be less interaction unless the Commission feels the Master Plan needs to be cracked wide open. **Peters** said must offer people the opportunity to comment on this. **Reardon** said it