

**PENINSULA TOWNSHIP
PLANNING COMMISSION MEETING AGENDA
13235 Center Road
Traverse City, MI 49686
May 21, 2018
7:00 p.m.**

- 1. Call to Order**
- 2. Pledge**
- 3. Roll Call**
- 4. Approve Agenda**
- 5. Brief Citizen Comments**
- 6. Conflict of Interest**
- 7. Consent Agenda**

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

- a. Correspondence (as provided)
- b. Approval of Meeting Minutes: ZO Rewrite Committee: 5/1/18, 5/7/18, 5/8/18

8. Reports and Updates

- a. Township Board
- b. Zoning Board of Appeals

9. Business

- a. Consider attachment to approved 3/19/18 PC Minutes Page 4.
- b. Elect Planning Commission Secretary.
- c. Short Term Rentals Workshop by Networks Northwest Report by attendees.
- d. Zoning Ordinance Rewrite Future Steps: Report and discussion.
- e. Planning Commission Work Products, Recommendations and Communications to Peninsula Township Board: Discussion.

10. Citizen Comments

11. Board Comments

12. Adjournment

Peninsula Township has several portable hearing devices available for use during this meeting. If you would like to use one, please contact the Chairperson.

PENINSULA TOWNSHIP ZONING ORDINANCE COMMITTEE NOTES

5/1/18

Present: L. Serocki, M. Peters, A. Couture

Also present: N. Heller, G. Hayward, C. Deeren

Meeting began: 3:01 PM

Agenda amended to include discussion on how to present the 4th draft to the Town Board and the public and if 3rd draft revisions should continue to be presented to Planning Commission. (MP/LS)

Discussed giving an overview of changes made to the Zoning Ordinance and what level of detail should that include. Overview should start with the Township RFP and McKenna's proposal; this would give a baseline of what was to be completed. Then a brief showing of the Index would enable all to see the recodification at a glance and the user-friendly sequencing. Mention could be made on the ease of adding amendments and updating the Index. Then review Article by Article and explain any major changes. Need to determine level of detail that should be presented.

Nothing more to PC until 4th draft is completed. Planning Commission should have 4th draft for a month prior to discussion. An overview of the Zoning Ordinance will be presented to Planning Commission then Town Board or at a Joint TB/PC meeting; decision to be made later. Any questions or changes can be discussed then or submitted later. Public Information meetings will follow a similar format.

Current Zoning Ordinance Section 5.74. Reviewed decisions made at previous meeting on placement of the different topics in this section. Will insert language as review of 3rd draft continues.

Article 8. Section 8.01 and 8.02--amendment being reviewed by Town Board; new language will be inserted into draft. Deeren wants "land use permit" included in first sentence of wetland.

Some moving of sections was done for a better flow of topics; the new sequence is listed below:

Section 8.03 Mining or Removal of Topsoil, Sand, Gravel, and Minerals.

Section 8.04 Soil Erosion and Sedimentation Control and Protection of Steep Slopes (No change).

Section 8.05 Storm Water Management.

Section 8.06 Removal of Fruit-Producing Trees, Vines, or Shrubs from Properties Being Developed.

Page 8-2 McKenna comments: Disregard first, accept second.

Section 8.04 Run-on sentence (first in paragraph) was modified.

Page 8-3 New Section 8.03 Attorney needs to confirm that there is compliance with court decision.

New Section 8.05--Hayward will rewrite section to: 1) simplify section, 2) review against Ordinance #33, 3) look into adding low-impact suggestions, and 4) add some of the impervious surface standards and examples removed from the definition section.

Page 8-4 Ordinary High Water Mark was capitalized in Sections (B) (1) (a) and (B) (2).

Page 8-5 and 8-6 McKenna comment accepted.

Page 8-7 (D)(1)(c) Change beginning of sentence to "Light fixtures shall be controlled....."

Page 8-8 Section 8.08 Needs more review; discuss next meeting.

Page 8-10 Corrected spelling of concrete (5)(c)(i). Removed be in (5)(e).

Next meeting Monday May 7th at 3:00 PM; will discuss Articles 7 and 6.

Meeting adjourned: 5:05 PM

5/2/18 laws

PENINSULA TOWNSHIP ZONING ORDINANCE COMMITTEE

5/7/18

Present: L. Serocki, A. Couture, M. Peters

Also Present: N. Heller, C. Deeren, K. Peterson, G. Hayward

Meeting began: 3:05 PM

McKenna should alphabetize Article 7 for ease of use. Section 7.01, 7.02, and 7.03 have no corrections.

Section 7.04 changed to "No structure whether of a fixed or portable construction, shall be erected or moved onto a lot for temporary dwelling purposes".

Section 7.05 applies to commercial and agriculturally zoned land; ag needs to be added. Also should be noted in Article 3.

No corrections in Section 7.06.

Section 7.07 Heading changed to "Regulations for Height, Lot Area, and Lot Width". (A) will reference height of building, (35 feet on all sides), natural grade measured before fill, and fill added to height measurement. (B) Changed to "When a given use is permitted in any District, the following structural appurtenances may exceed height limitations, provided that are not **designed** or used for human occupancy". (C) Changed to "In the Agricultural District, traditional barns and silos may be constructed to heights **up to 50 feet**, provided that they **are an accessory to an active farm**". (D) and (E) have no corrections.

Section 7.08 (A)(1) leave (a), (b), and (d). Remove, and: from (a) and replace with period. Remove "attached single-family residential housing" throughout section and replace with "Multiple Family Dwelling". Remove language in (2) and replace with (1) (c) including original clause "A setback of 50 feet from the property line of the adjacent property shall be required for those portions of metes and bounds parcels created after the adoption of Amendment (need adoption dat) that have a common line with land that is zoned A-1 Agriculture unless that A-1 Agriculture zoned land is being used for residential purposes. Section 7.08 (B) End sentence with "boundary between the development and the agricultural lands". Second sentence starts "The Township Board may determine that trespass....".

Remove (C).

Section 7.09 leave under Private Roads for now; discuss with Patrick?

Page numbers are incorrect after 7-6 through end of section.

Section 7.10 Discussed Patrick's comments and left language as is.

Section 7.11 Fences and Walls including Retaining Walls. Should Fences and Walls be separate sections?

Next meeting 5/8/18 at 3 PM. Will continue fence and wall discussion. Will review wording of Section 7.08 and placement of Section 7.09. Work on revisions, corrections of other sections.

Adjourned: 5:08 PM

5/11/18 laws

PENINSULA TOWNSHIP ZONING ORDINANCE COMMITTEE
5/8/18

Present: I. Serocki, M. Peters, A. Couture
Also present: N. Heller, C. Deeren, G. Hayward
Meeting began: 3:10 PM

Discussed language from Jennifer Hodges regarding Section 8.01 through 8.06. Corrected copy of Storm Water will be available at next meeting (Peters). Should it include DEQ NPDES NOC in section? What does acronym stand for? Deeren would like it in Zoning Ordinance. Section 8.04 should be separated out. It will be easier to use (Serocki).

Discussed Section 8.08. All current language is included in section and new language regarding suitable landscaping, concealment of mechanical equipment, and dumpsters. General consensus was that dumpsters should not be allowed in setbacks. Section is jumbled and should be in an easier format with commercial and parking lot standards separated better. Corrected copy will be available at next meeting (Serocki).

Section 7.11 Will leave fences and walls in one section, but will reorganize. Some sections apply to fences and walls, some to just fences, some to just retaining walls. Needs to be clearer. (B) Excluded Fences (1) Agricultural Fences. Difficulty at this time with agricultural fences be maintained; need some backing to keep fences maintained for livestock and small animals. (1) will read "Agricultural fences that are used for general farming and horticultural uses, field crop and fruit farming". Rest of sentence "Raising and keeping of small animals, and raising and keeping of livestock. Will be moved or removed; decision later.

Section 7.12 Swimming Pools. (C) (1) Change to "Pool setbacks including fencing shall comply with required setbacks specified by the applicable zoning district." Remove (C) (2). Section 7.12 (D) New language "For the protection of the general public, all swimming pools shall be completely enclosed by a fence or wall (of comparable safety) not less than 4 feet nor more than 6 feet in height, set a a distance of not less than 4 feet from the outside perimeter of the pool wall. Fencing shall not be required in the following 2 circumstances:". (D)(1) "Where a building 4 feet or more in height is part of the enclosure." (D)(2) "Where a swimming pool is above grade and has exterior side walls with a smooth surface not less than 4 feet in height and all means of access are secured or locked to prevent unauthorized use"

Next meeting Monday May 14th at 3 PM. Look at correction on Articles 7 and 8. Start Article 6. Discuss Private Road chart and discussion at PC for splits.

Adjourned: 5:07 PM

5/11/18 laws.

spend time going through it and remove all that or we bring it back in April. I have the changes and can go through them.

Serocki identified items in the document that were 2018 action and suggested they be deleted from the 2017 document. Deeren and Peters made comments about needing to correct errors, make the deletions and clean it up and then have Laura look at it.

Couture: Perhaps it might be best to retype this and resubmit it. Why don't we table this until next month and then it can go on the Consent Agenda.

Action-Motion: Motion made by Wunsch/Shipman to table Business Item b. until April.

Passed Unanimously

b. Winery amendment to Food Processing Plant - discussion

Deeren: It has been brought up to Gordon Hayward that some of the wineries would like to serve food over and above cheese, crackers and meats. What they are asking for is to have some menu items brought in and they want expansion of facilities too.

Peters: In the letter from Gordon, he specifically had the request from Black Star Farms for additional storage space. **ATTACHMENT 1**

Deeren: And **not** for increasing tasting room areas and retail space.

Peters: You brought up an issue too. At the bottom of Gordon's memo he said "another issue I would like to have a working committee look at is operating hours", so that is a third item. At the Town Board in February the small wineries license topic came up. There was an excellent conversation between the clerk Joanne Westphal and our lawyer. Two or three more winery issues came up. This is a much larger item to think about and Gordon suggests that we have a working committee. I think it is more important than a working committee of the Planning Commission. I think this should be another committee and it should probably have someone from one of the wineries. I particularly recommend that you go back and listen to the streaming of the meeting where this particular issue is discussed. You can locate it at minute 39 on the meeting dated 2/27. Again I wanted to point out that this is larger than 1 or 2 issues and we ought to think about identifying and engaging a group of knowledgeable people for a committee that has some representation from us, the Town Board, the wineries and others from the community, specifically David Taft.

Serocki: I thought that Black Star wanted to get an answer to their request sooner rather than later. Increasing the storage area has been something that other wineries have looked at too and I wonder if this isn't something that could be looked at immediately. In Gordon's letter he wants us to look at closing time and increasing the processing area. Maybe we should find out what he thinks about starting another committee. That stretches him thinner.

Hornberger: I think that the letter from Black Star Farms is a discrete thing that needs to be looked at earlier rather than later. I understand Monnie's statement about looking at all of the material at once. But we have one winery that is making a formal request and so I don't think we can form a

SUPPLEMENTARY INFORMATION FOR ATTACHMENT 1 REQUEST FOR THE 03-19-18 PLANNING COMMISSION MINUTES.

Peninsula Township Planner;

We would like to formally request an application for a variance to the existing farm winery ordinance, in order to allow us to expand our current production facility on McKinley Rd.

We are currently operating under the ordinance that most readily allowed us to produce wines from the fruit that we grow predominantly on the Old Mission Peninsula, however growth in our operations has increased our need for production capabilities at this operation. We would like to construct an 8500 square foot structure to the north of the existing winery building, with a direct connection to the current building, which would house our raw fruit processing and tank-fermentation room.

It is not in our interest to greatly increase our production capacity, nor are we interested in hosting events or over-night guests in the way that a "Chateau" designation would allow us, but rather to develop this facility into a more efficient and conducive operation for the production of high quality, regional wines. With the last 2 out of 4 years being near disastrous for fruit propagation, it is our plan to capture the highest volume of local fruit that we can in the better vintages, in order to help carry our business through the leaner growing seasons. In order to accomplish this, we need to increase the production capacity of our current operation.

We would ask that you view this letter as a formal request for this variance and contact us as soon as possible for any further information to support this request.

Sincerely,

Robert Mampe, 360 McKinley Rd. Old Mission Peninsula.

cc. Lee Lutes, Managing member for Black Star Farms, Old Mission.

**Donna S. Hornberger
6730 Mission Ridge
Traverse City, MI 49686
May 4, 2018**

Alan Couture, Chair
Peninsula Township Planning Commission
13235 Center Road
Traverse City, MI 49686

Dear Alan:

I am proud to be on the Peninsula Township Planning Commission. I find it very enjoyable and worthwhile.

I have been the Planning Commission secretary for a long time. Unfortunately, the secretary position is consuming so much of my time that I am unable to continue with it while at the same time being the active and effective member of the Planning Commission that I wish to continue to be.

This is my official notification that I am resigning as secretary and ask that a replacement for me as secretary be on the June Planning Commission agenda.

I will remain on the Planning Commission and will actively participate in Planning Commission meetings, committees, and other activities.

Sincerely,


Donna S. Hornberger

cc: Gordon Hayward

Memo to: Planning Commission and Town Board

From: Zoning Ordinance Rewrite Committee
(Monnie Peters, chair)

Date: May 16, 2018

RE: Zoning Ordinance Rewrite Next Steps

Work To Date: The Zoning Ordinance Rewrite Committee has been working through the 3rd Draft from McKenna and Associates (the consultants) which was sent to the Township Planner on November 30th 2017. We decided to work backward Article by Article, leaving the definitions (Article 2) for last because they required a lot of discussion when we went through the 2nd Draft. At this point in mid-May, the Committee is working on Article 6. We have presented the Articles we have worked on to the Planning Commission (PC) at two PC meetings and not gotten the detailed response that we had hoped.

At the last PC meeting there was an excellent 20-25-minute discussion and critique of the current process by the Commission members. Some found individual Articles difficult to follow and getting individual Sections alone of the full document confusing. In addition, when excerpting sections, the formatting (lettering and numbering and hyper-links) partially disappears making it difficult to clearly format a section. It was generally agreed among the Commissioners that doing piecemeal reviews was not useful and that waiting until a clean full document was available would be preferable.

The discussion then turned to an informational session/documentation that should be done in the near term. It was agreed that a conceptual overview which showed "major changes and why" might be a way to lay the groundwork for the full document. This came up as a way to orient the Township Board (TB) and interested public, and the Planning Commissioners thought it would also be valuable for them before they finish their review.

The Committee at its next meeting discussed the process. The following are the steps we would tentatively propose. We are asking for reaction and input from the full Planning Commission, and also from the Township Board.

1. Finish our review and send it back to McKenna to clean up and create a document with the hyper-links and proper section numbers, etc. This should be a far easier document to read and comprehend.
2. The 4th Draft from McKenna will need a super quick review by the ZO Rewrite Committee.
3. The 4th Draft will then be given to the PC and the TB and be available to the public on the website. The document is likely to be 150-175 pages.
4. Very shortly after this document is "released", there would be an informational session for the TB, PC, and the public. This would include discussion of the

background of this project (including the Township's RFP and the McKenna Proposal), and the big changes from the current Ordinance.

5. Then the 4th Draft would go to the PC for review, discussion and editing.
6. The edited document would then be ready for the preliminary TB review. The Committee would then take any comments, analysis, etc. and weave them into a draft that would then be presented to the public in a series of public input sessions. (Question about how much McKenna is involved?)
7. Public Input Sessions would be held (three or four). (Steps 6 and 7 might go on simultaneously.)
8. During this period the Township Attorney would have time to do a thorough review.
9. All the input from PC, TB, public, and attorney would be coalesced into final edits.
10. McKenna would produce a Final Draft (5th Draft) for Public Hearings and approvals by the PC and then the TB.
11. Final Document.

*** Some Relevant Past History ***

To refresh memories or reintroduce the McKenna involvement, attached are relevant pages of the (1) Request for Proposal sent out by the Township and (2) the McKenna Proposal.

About a year into the project with the 2nd Draft delivered (October 31 2016), the PC and the Planner felt the need to dive deeper into the Ordinance at a Committee level. This was a new step in the process, not in the original proposal. The Committee worked for 8 months and sent the document to McKenna to produce a new draft. Draft 3 was delivered November 30, 2017. The Committee has worked since early January on the 4th Draft.

Any final Zoning Ordinance will need to be amended almost the day it is approved.

RFP for Zoning Ordinance - Sept '15

an integral part of the community's character and a sensitive area. Future alteration to this resource requires careful land management practices to sustain residential uses while preserving rural character, providing wildlife habitat, controlling erosion and protecting water quality.

The Township desires professional planning and zoning assistance to explore and develop a practical and usable Zoning Ordinance to implement the goals and objectives of the Master Plan, protect values important to the Township, and facilitate quality development. The Township seeks an Ordinance that is easy to understand and administer, integrates graphics into the regulations, and is formatted in a manner that is able to be amended in the future.

C. Background on Township Documents Relevant to the Project

1. **Master Plan.** The current Master Plan was adopted in 2011. The Planning Commission is expected to review and revise this document as necessary as part of this project.
2. **Zoning Ordinance and Zoning Map.** The current ordinance/map was adopted in 1972 and has been amended through the years on an as needed basis. There are approximately 200 amendments to this document.
3. **Subdivision Control Ordinance.** The current ordinance was adopted in 1979. This document should be reviewed for compliance with current legislation related to land use and division as well as current planning principles.
4. **Land Division Ordinance.** The current ordinance was adopted in 2012.
5. **Storm Water Control Ordinance.** The current ordinance was adopted in 2007 and was to be implemented and enforced through the Grand Traverse County Drain Commissioners office. Since 2012 the implementation and enforcement of these regulations have been completed by the Peninsula Township Planning & Zoning Department. This ordinance is key to the protection and preservation of the Great Lakes and shoreline. Peninsula Township wishes to strengthen and clarify these standards.

D. Scope of Work

The selected firm will work with the Township Planning Commission, the Township Board and key Township staff to develop updated ordinances that support the goals, principles, policies, actions and conclusions of the Master Plan and current planning practices. The Planning Commission will be the governmental body responsible for overseeing the development and review of the ordinance, in cooperation with key Township staff and the Township attorney. Upon completion of the final draft ordinance, the Planning Commission will recommend adoption of the ordinance to the Township Board.

Education of the Township Planning Commission will also be a part of the scope of this project. The selected consultant will be responsible for educating the Planning Commission on the basics of planning and zoning principles and concepts. At least one educational session is to take place at the first meeting at which the consultant is introduced to the full Planning Commission.

The consultant shall become familiar with the various planning documents, as outlined in Section C above, and will conduct ^{field?} filed work to become familiar with land use and zoning patterns throughout Peninsula Township.

While the Zoning Ordinance must be updated to achieve many of the goals in the Plan, is also must be revised because it contains archaic and often ambiguous language. This can lead to broad interpretation of the regulations. Furthermore, the ordinance is silent about and gives no incentives to developers on some significant issues (i.e. shoreline and agriculture protection, screening & buffers).

The consultant will be responsible for recommending the organization and style of the ordinance. The zoning ordinance should be an efficient, easy to use document (hard copy and on-line) that will help implement the land use policies of Peninsula Township. Mechanisms such as cross-referencing, illustrations, and tables should be the primary method to make the ordinance user-friendly. The consultant will have primary responsibility for drafting and redrafting the text and illustrations of the zoning ordinance, after receiving appropriate input from the community's citizens, stakeholders, Planning Commissioners, Township Board members and Township staff.

E. Deliverables

All items delivered as part of this project shall be the sole property of Peninsula Township. The consultant shall be responsible for the submittal and execution of the following:

1. **Progress Reports and Research.** The consultant shall be responsible for submitting monthly progress reports and research information relative to the project. The consultant shall clearly communicate how the regulatory effects of the proposed ordinance may differ from the effects of the current ordinance. Background information regarding subjects addressed in the proposed ordinance, which are not addressed in the current ordinance, shall also be submitted.
2. **Draft Ordinances/Maps.** Twelve (12) copies of draft documents are required during the development stages for review and use by the Planning Commission and staff.
3. **Meetings.** The consultant will be responsible for meeting with the Planning Commission and staff on a regular basis. The number and frequency of the meetings will be determined in

consultation with all parties before the project begins. The purpose of the meetings will be to establish objectives, discuss alternatives, provide direction, and review progress. In addition, the consultant will be expected to attend periodic meetings of the Planning Commission and Township Board.

The Township Planning Commission meets the 3rd Monday of each month at 7:00 PM in the Peninsula Township Hall, 13235 Center Rd., Traverse City, MI 49686. The Township Board meets the 2nd Tuesday of each month at 7:00 PM in the Peninsula Township Hall, 13235 Center Rd., Traverse City, MI 49686 and the 4th Monday of each month at 1:00 PM in the Peninsula Township Offices, 13235 Center Rd., Traverse City, MI 49686.

4. Final Work Products. The updated ordinance and zoning map must be provided in both print and electronic format that are compatible with the Township's software. The consultant shall provide the following specific ordinance products:

- Twenty-five (25) bound hard copies and one electronic version of the final ordinances in an 8-1/2" x 11" format, compatible with the Township's software.
- The electronic Word and PDF version of the ordinances on a disc or zip drive. *(Flash Memory)*

The final zoning map shall be included as part of the zoning ordinance document. The Township shall be provided with the following map products:

- Twenty-five (25) bound hard copies of the final map folded and inserted into the bound hard copies of the zoning code with an approximate size of 11" x 17".
- Six (6) display-size maps with an approximate size of 48" x 96" (one of which shall be mounted on an acceptable rigid backing for display and/or wall mounting).
- A digital version of the overall zoning district map in a format suitable for placing on the Township's website (similar to Adobe PDF file).
- A digital version of the individual parcel layers for use in and compatible with the Township's Geographic Information System, which uses the ArcView platform.

➤ Specific details regarding the final deliverable document and map products will be discussed during the interview stage and will be detailed in the final contract.

F. Information provided by Peninsula Township

The Township will be responsible for providing the selected consulting firm with a hard copy of the following information immediately following the signing of the contract:

- Current zoning ordinance, as amended
- Current zoning map, as amended

D. ZONING ORDINANCE FIRST DRAFT

We propose to update the Zoning Ordinance and Zoning Map in four (4) parts as follows:

1. *Zoning Districts.* The first step in drafting the update will be to establish the zoning districts, with use and design standards. The zoning districts section of the Zoning Ordinance will contain the following chapters:

- Establish Zoning Districts. In accordance with the recommendations of the Master Plan, the purpose of each zoning district will be described. Permitted uses in each district will be clearly defined, along with standards, conditions and review criteria, where appropriate. Currently, there are 6 zoning districts. The Master Plan gives direction to create new zoning districts for Agricultural Production, Rural Agriculture, and Public/Semi-Public. The Master Plan also suggests consolidating residential zoning districts. Also, as recommended by the Master Plan, McKenna will prepare overlay districts as desired by the Township (e.g., Shoreline, Historic Preservation, and Environmentally Sensitive Overlay Districts). We will also determine whether to propose village center regulations at Mapleton and/or Old Mission at this time.

A schedule regulating the area, height, bulk, and placement standards for each district will be provided.

- Permitted Use Table. We will create a table showing all of the zoning districts and permitted uses. This is sometimes called a "use matrix" and allows the user of the planning and zoning code to quickly see where a use is permitted. This eliminates the need to flip back and forth between sections of the Zoning Ordinance to determine where a use is permitted in the community.
 - General Development Design Standards. General design standards that are applicable to all uses in all locations will be described in this section. Examples of this kind of regulation include corner clear-vision requirements, sidewalk requirements, accessory dwelling unit requirements, etc.
 - Zoning District-Specific Development Design Standards. The design standards that are applicable in each zoning district will be described in this section. These standards will be design intensive and include building height and setback requirements, building design standards, accessory building standards, etc.
2. *General Regulations.* This portion of the Zoning Ordinance Update will address supplemental regulations that support and enhance the use and design standards. Other ordinances where these topics are covered will be cross-referenced. Examples of regulations that will be considered include:
 - Storm Water Best Management Practices (BMPs). McKenna will reference the Storm Water Control Ordinance and, if necessary, incorporate storm water standards into the Zoning Ordinance as a means of protecting wetlands, the shoreline, and other sensitive environmental areas. Incorporating storm water BMP standards into Peninsula Township's updated Zoning Ordinance will place emphasis on the importance of total site design and encourages homeowners and developers to integrate storm water management into their projects.

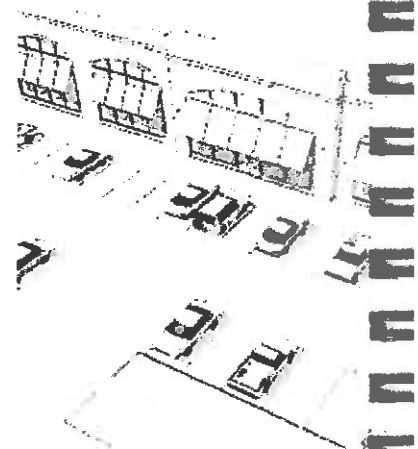
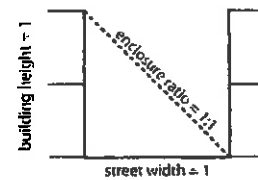


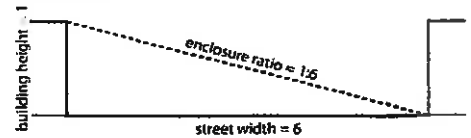
Figure 1. Graphic illustration of front-parking design standards.

- **Landscaping.** Existing landscaping regulations will be evaluated and McKenna will draft a revised landscaping requirements article or section based on best practices and the Township's goal of requiring landscaping and buffering in commercial areas.
 - **Accessory Buildings and Uses.** We will update the standards for residential and non-residential accessory buildings and uses.
 - **Agricultural Protection.** McKenna will identify and recommend regulations and effective mechanisms to protect agricultural uses.
 - **Parking.** Parking regulations should ensure sufficient parking for land uses and buildings while allowing flexibility to avoid unnecessary impervious surfaces. We will identify ways of regulating parking and implement the Township's preferred method.
 - **Lighting.** Exterior lighting is essential but it can be a source of light pollution and also an intensive energy consumer. We will include lighting standards that ensure that exterior lighting in the Township is "dark-sky" compliant, and we will also include standards and incentives to promote the use of energy efficient light fixtures, such as LED sources.
 - **Sustainable Energy Generation.** Interest in alternative energy generation will continue to increase as small and residential-scale distributed energy solutions drop in price, and as fossil fuel sources increase in price. We will work with the Township to determine if the Zoning Ordinance Update should address the existing wind energy regulations or include regulations that permit small solar energy generation facilities for residential and non-residential applications.
 - **Signs.** Existing sign regulations will be evaluated with the goal of achieving a proper balance between the advertising needs of business and maintaining the aesthetic appeal of business areas. A recent U.S. Supreme Court decision has impacted the sign regulations in each community with respect to content-neutrality, and McKenna is a leader in the effort to update sign regulations as a result of this recent decision. We will identify areas of concern and give you options for amending the sign regulations in a manner that maintains Township character.
 - **Graphics.** In addition to the above elements, we will incorporate new graphics to increase the user-friendly aspects of the Zoning Ordinance.
 - **Access Management.** Full scale access management regulations are typically contained in a separate ordinance. Basic access management standards, such as driveway spacing, will be incorporated into the ordinance for key thoroughfares.
3. **Administration.** The administration section of the Zoning Ordinance will include all of the procedural and administrative requirements, in compliance with the Michigan Zoning Enabling

Example A:



Example B:



Example C:

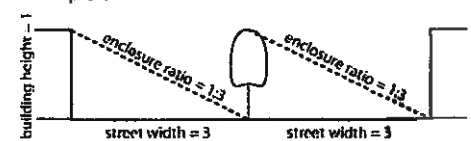


Figure 2. Street enclosure graphic. Street enclosure helps create street character, and can be regulated through planning and zoning code standards

Act. Tables and graphics will be used to more clearly define the "what" and "how" of zoning code administration. The administration section will, at a minimum, include the following sections:

- Administrative Organization and Procedures
 - Planning Commission responsibilities
 - Zoning Board of Appeals responsibilities
 - Township Board of Trustees responsibilities
 - Building Official responsibilities
 - Zoning Enforcement
 - Review Procedures (Site Plan, Zoning Amendment, Variances, etc.)
 - Nonconformities
4. *Zoning Map*. Revisions to the Zoning Map will be required to incorporate any changes deemed necessary to reflect new or consolidated zoning districts, or, to more properly zone properties according to the 2011 Master Plan. McKenna will note changes to the Zoning Map that will be required by the new Zoning Ordinance and will make revisions in GIS, in color, not to exceed a 24" x 36" format. The updated Zoning Map will be adopted at the same time as the new Zoning Ordinance.

Meetings

- See Task E, below, for review meetings.

Results

- First draft of Zoning Ordinance (Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel and .pdf electronic file)
- First draft revised Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the Township)

E. FIRST DRAFT REVIEW AND PREPARATION OF SECOND DRAFT

All drafts will be 8½" x 11" format for text and 24" x 36" format for the Zoning Map.

1. *Zoning Ordinance Draft Review by Township Staff*. Prior to sending draft to the Planning Commission for its review, we will send the draft to the Director of Planning and Zoning for review and comment. This will give the Director an opportunity to provide feedback and obtain comments from other Township staff, stakeholders, and the Township attorney. We will revise and update the Zoning Ordinance based on the staff's input meeting. While not on-site meetings are proposed for Township staff review, additional meetings can be scheduled at an additional fee.
2. *Working Meetings with Planning Commission*. We will meet with the Planning Commission up to five (5) times to review the proposed Zoning Ordinance Update. The meetings are intended to take place following completion the four (4) parts noted in Task D, as well as an additional meeting to review the second draft. The Planning Commission may choose to include the Zoning Ordinance Update on its regular meeting agenda or schedule Working Meetings dedicated only to the Zoning Ordinance Update.

3. *Prepare Second Draft.* We will prepare the second draft of the Zoning Ordinance based on the input received during Tasks E.1 and E.2. This draft will identify changes made from draft one to draft two, along with the reasons for the changes.

Meetings

- Up to 5 Planning Commission review meetings

Results

- First draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]
- Second draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]
- Summary of Changes [Microsoft Word (.doc or .docx) electronic file + .pdf electronic file]
- Second draft Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the Township).

H. PUBLIC HEARINGS AND ADOPTION

1. *Public Hearing Presentations.* McKenna will prepare for and present the new Zoning Ordinance at two (2) public hearings, one before each the Planning Commission (per State law) and one before the Township Board. McKenna will be prepared to answer questions and explain the reasoning behind the regulations.
2. *Revised Drafts.* Following each public hearing, McKenna will revise the Zoning Ordinance as directed by the Township. We will maintain a list of changes throughout the public hearing process to track the revisions and provide a record for decision makers as they consider approval of the Ordinance.
3. *Adoption Copy of Zoning Ordinance and Map and Revision Manual.* Following adoption, McKenna will provide final copies of the adopted Zoning Ordinance in hard copy and digital format, and a final copy of the Zoning Map in hard copy and digital format. We will also provide a manual describing how to revise the Word document in a manner that preserves the document's built-in formatting features (hyperlinks, automatic numbering, automatic table of contents, indexes, etc.) and in a format that can be regularly maintained by Township staff without new software.

Meetings

- 2 public hearing presentations

DELIVERABLES

Final Zoning Ordinance

- 25 bound hard copies of the Zoning Ordinance, with an 11" x 17" Zoning Map folded and inserted into the bound copy.
- 6 display-size (48" x 96") Zoning Maps, with 1 map mounted on a board.
- One digital copy of the document in Microsoft Word and all maps in GIS digital format. Tabular data will be in Microsoft Word or Excel.
- One digital copy of the document in Adobe PDF format for the Township's website.

Memo to: Peninsula Township Planning Commission and Township Board
From: Monnie Peters
Date: May 17, 2018
RE: Planning Commission Work Products, Recommendations and Communications to the Peninsula Township Board

I am hoping this will generate discussion at the upcoming Planning Commission (PC) Meeting on May 21st, and I will attend the Township Board (TB) Meeting on May 22nd and will report on that discussion.

Over the last several months, items that have been studied and approved at the PC have gone to the TB where the Board has delayed action because TB members felt the items ("work products") were not "ready" for passage. And in the last two cases, the Peninsula Library's Special Use Permit and the Flood Plain Ordinance Amendment, both items needed passage on a timely basis.

Reflecting on the last year and a half, I am seeing similar issues and reactions as I saw for the previous Town Board. However, the current TB members are asking excellent questions and are demanding more details. Part of the problem is the documents that are in the packets have not been robust and detailed enough. (The checklist fix from Jennifer Hodges on SUP's may help.)

And there also has been little or no representation from the PC at TB meetings to answer questions. When asked by a TB member "Why did the PC do "this" or "that?", there has been no answer.

Clearly there is a problem. Below I make a few observations in three areas and hope to generate discussion and change so the two Boards can work together and make the process more effective and the final products better.

PC Training and Background Knowledge

The Planning Commission works well together; most topics have more than one meeting, often three or four on a topic. The PC fully believes it is doing/producing what is required. This is based on what it has done in the past.

Has the world changed?

I argue yes, because of the litigation. The Town Board has reacted appropriately, i.e., wanting to have zoning language and SUP's that will stand up to a legal challenge.

Has the citizenry changed in what they want. Perception seems "yes". There is a definite need to survey the citizens to find out if this is true.

Is the PC trained well enough to address more complicated issues? Is legal and technical review done early enough and incorporated into documents? PC members did ask for some legal orientation/training last summer, and that request went nowhere. The current Township Attorney has never been to a PC meeting. Do PC members know how to look at technical issues of land development? Do they really know how to do evaluations? So there seems to be a need to improve the skill level of PC members. This could be done in-house or elsewhere. There are plenty of outside training opportunities, but there has been little to no guidance to the PC members in the last year and a half on what is out there and the need to attend these opportunities. For example, there was no communication to PC members of available training sessions and attendance at the recent MTA conference.

PC "Work Product"

Is the "product" "complete"? and is the documentation adequate to answer most of the TB questions? Obviously if the SUP as it hits the TB approval level is not complete enough, then the "findings of fact" do need more beefing up at that level. But shouldn't that have happened at the PC level? Jennifer Hodges' work on the checklist probably needs to now also focus on what is done at the PC level.

More Communication from the PC directly to the TB

When a "work product" comes to the TB, can questions be addressed as raised at a Town Board meeting: the history, when in the process was the legal review, technical details, why the recommendation is what it is. At the last TB meeting on the Flood Plain issue, the question of "Why/what did the PC do?" was raised at least three times, and the answer in each instance was a "crushing silence".

Maybe the new Planner and Assistant Planner can fill in the enormous void in this area, but should a PC member (or two) also present items and be available to answer questions at the TB meeting? And what is the responsibility of the TB member who sits on the PC? Which "hat" does she/he wear? And what does the TB feel it needs?

We (both PC and TB) all want better, more effective work done and to make excellent decisions that address the issues that face our Township. We should and can do better.