

Due to the fact that I was integrally involved in the township process of developing the current Peninsula township use by right wine ordinance, I was asked if I would give a brief history of how it came to be for those who are now involved but we're not a part of the process at that time.

I first want to say that I support-the currently proposed adjustment to allow larger production space, without making any other changes to the ordinance. I think this would be a great enhancement to the peninsula grape growing and winery business.

I've discussed this with others who were involved in the process of creating the current ordinance language and the support is clear from those of us involved on both sides of the negotiations that led to this current ordinance.

However, we feel strongly that there should be no other amendments or changes made to this ordinance.

In the late 1990s a proposal was developed to allow small wineries as a use by right. The intention was to allow an easy path for new wineries on smaller parcels to open. It avoided the complexities of a winery chateau and the challenging effort of the special use permit it involved.

But there were differing opinions regarding a number of details, including the size of acreage necessary to open, and whether safeguards were necessary to avoid the potential of creating an easy path for wineries outside of Old Mission to use small acreage wineries as retail outlets for wine produced elsewhere. The proposal allowed wineries on parcels as small as 5 acres.

Additionally, there were differences as to whether small acreage wineries were appropriate locations for

events such as weddings, and whether safeguards were necessary to insure these small wineries did not become or turn out to function more as general tourist oriented souvenir shops as opposed to essentially dedicated wineries with a selection of logo items to support marketing of the business

Finally, there was a concern that these new wineries would need to be allowed on PDR preserved farms, which meant they should fit the identity of an essentially agriculture operation.

A compromise concept was developed shortly before the proposal was to be given final consideration by the planning commission. However, a great deal of effort had been put into the proposal as it stood, and as a result the proposal was passed by both the planning commission and the Town Board.

As a result of that passage in that form a referendum campaign was run and that winery proposal was defeated and nullified.

It is impossible to fully express the bitterness of the divide that resulted in the community during and especially after this vote.

Those of us who were there and involved know we would never want to experience that again

It was over a year before representatives from the opposing camps could bring themselves to meet and start an effort that lasted 6 months and resulted in an acceptable compromise that the board was able to pass 2 months later.

Returning to our current situation it is clear that this adjustment that has been proposed is a necessary and wise improvement, but that opening this ordinance to any other adjustments could easily re-open the

conflicts and wounds from a time that none of us want to relive.

I urge commission and board members to support the proposal to allow 10,000 ft.² of above ground processing and storage building area for each 20 acres of active of agriculture.

jw ~

John A. Wunsch
17881 Center Rd
Traverse City, MI
49686

Nov - 1999

3

CALL VOTE: Ayes – Gray, Breadon, Manigold, DeVol, McManus; Nays – none. CARRIED,
UNAN.

Public Hearing – Amendment 128A, B, and C – Winery with Tasting Room

The hearing was opened at 8:05 p.m. Hayward stated that this would be an amendment to the zoning ordinance to allow a new use in the agricultural zone with a special use permit. The use would be titled Winery with Tasting Room. A minimum of 10 acres would be required for a winery and tasting room, with an additional 5 acres required if there is a residence on the property. Also, 5 acres must be planted with a wine fruit. The sale of wine would be conducted in accordance with Michigan Liquor Control Commission rules. There would be limited sales of non-wine items allowed. There are restrictions on the wines that can be tasted in the tasting room. If an owner is in possession of less than 20 acres of land inactive ag production within the township, then the wine tasted must meet Old Mission Peninsula or Leelanau Peninsula appellation standards. If over 20 acres are in active ag production, the wine must meet Michigan Appellation standards to be tasted. There is a provision that if crop conditions or a natural disaster result in a shortage of locally grown fruit, the board could waive the appellation requirements for that vintage year.

There were five letters sent regarding this issue, 3 asked to be read into the record. Barbara Below, 18555 whispering Trail, urged the board to proceed with great deliberation, and to limit the sale of wine to that which is produced locally and to limit the sale of non-wine items carefully in order to preserve the quiet, rural character of the peninsula.

Betty Cronander, 320 Homestead Lane, wrote to Gray, describing a trip to the “Valley of the Moon” wine producing area in California. She described heavy traffic, large buildings that hosted parties, conventions, etc. and stores that sold numerous non-wine related items and wine by the glass. Her general impression of the area was negative. She requested that the board postpone a decision until a study could be done about the impact of additional wineries in an ag area. She further suggests that wine tasting perhaps should be considered for a special commercial zone.

Rex Hite, 14178 Bluff Road, wrote concerning the board's obligation to consider the safety and welfare of its constituents in considering this amendment. He refers to an inherent risk in the level of alcohol consumption at wine tastings. He suggests a study to determine a “safe” number of these tasting rooms for our community. He asks that this amendment be denied because it fails to address the safety of this activity.

Jim Thompson, 10552 Center Road, wrote that he sees the proposed winery ordinance as a positive influence on our community. He fears the loss of farm properties to development and feels this amendment is an opportunity to preserve the traditional farming way of life on Old Mission Peninsula.

Judy Gienow, 14858 whispering Trail, requests that more consideration and planning go in to this amendment. She objects to the sale of non-wine items and wine by the glass. She feels that this could turn the peninsula in to a strip mall.

Jane and John Hall, 222 Windsor Court, in a letter to Hayward, stated they are “firmly against watering down the current standards which may already be a little too lenient in some respects”.

PENINSULA TOWNSHIP PLANNING COMMISSION

April 19, 2018

Farm Processing Facility building area based on acreage of active agriculture.

An amendment to enable Farm Processing Facilities (Winery) to have increased above ground storage and processing areas based on active agricultural acreage of the farm on Peninsula Township.

The amendment **does** not increase the maximum area of the tasting room.

BACKGROUND AND SUMMARY

The necessary building area for processing and storage for a winery is related to the volume of grapes and wine that is to be processed.

The current Ordinance provisions have a fixed maximum of above ground building area regardless of the amount of wine being produced.

This proposed amendment would use active agricultural acreage of the farm as a determination of the maximum building area for processing and storage.

The formula proposed is 10,000 square feet of above ground processing and storage building area for each 20 acres of active agriculture (grapes or apples) in Peninsula Township. Irrespective of the above formula, the maximum building area shall not exceed any easement or restrictive covenants affecting the parcel.

The additional building area devoted to retail sales and other non-processing related activities shall not be greater than 1,500 square feet.

CURRENT ORDINANCE PROVISIONS.

The current Farm Processing Facility in section (19) (b) 6. has two **size** limits.

1. The total floor area above finished grade (one or two stories) of the Farm Processing Facility including retail space room shall be no larger 6,000 square feet or .5% of the parcel size whichever is less.

2. The retail space shall be a separate room and may be the greater of 500 square feet in area or 25% of the floor area above finished grade which is a maximum of 1,500 square feet.

Definition - Farm Processing Facility: Means a building or buildings containing an area for processing equipment where agricultural produce is processed or packaged and prepared for wholesale and/or retail sales. In addition to processing, the building(s) may also include a retail sales area for direct sales to customers and a tasting room for the tasting of fresh or processed agricultural produce including wine. The facility also **includes** necessary parking, lighting and **access** to a public road.

The Farm Processing Facility use includes retail and wholesale sales of fresh and processed agricultural produce but is not intended to allow a bar or restaurant on agricultural properties and the Township shall not approve such a license. The majority of the produce sold fresh or processed has to be grown on the specific farm operation (land owned or leased for the specific farm operation) of the party owning and operating the Specific Farm Processing Facility). Eighty-five (85) percent of the produce sold fresh or processed has to be grown on Old Mission Peninsula. Activities such as weddings, receptions and other social functions for hire are not allowed, however, participation in approved township wide events is allowed. It is not the intent to grant any vested interest in non-agricultural uses of any structure built for a Farm Processing Facility.

Proposed amendments to (19) Farm Processing Facility (b) 6.

Revise (b) 6. Farm Processing Facility to read as follows:

6. Farm Processing Facility Size: The total floor area above finished grade (one or two stories) of the Farm Processing Facility in addition to retail space room shall be no larger than the following:

10,000 Square feet of above ground processing and storage building area for each 20 acres of active agriculture (grapes or apples) on land in Peninsula Township owned or leased for the specific farm operation.

(Total acres of active agriculture divided by 20 and multiplied by 10,000 square feet)

Underground buildings are not limited to, and may be in addition to, the above calculated square feet of floor area provided that it is below pre-existing ground level and has no more than one loading dock exposed.

Irrespective of the above formula, the maximum building area shall not exceed any easement or restrictive covenants affecting the parcel.

The retail space shall be a separate room and shall be no greater than 1,500 square feet

The Facility may consist of more than one building, however all buildings shall be located on the 20 acre minimum parcel that contains the Farm Processing Facility.

Underground buildings are not limited to, and may be in addition to, the calculated square feet of floor area provided that it is below pre-existing ground level and has no more than one loading dock exposed.