

**PENINSULA TOWNSHIP**  
**SPECIAL MEETING ZONING REWRITE COMMITTEE**  
13235 Center Road Traverse City, MI 49686  
November 9, 2016 6:00 PM Township Hall

Meeting called to order at 6:00 p.m.

Present: **Leak, Serocki, Peters, Hornberger, and Rosi.**

Also present: Gordon Hayward, Joanne Westphal, and Rachel Mavis (recording secretary), along with approximately 6+ residents.

Absent: **Wunsch, Couture (both excused)**

**Motion to approve agenda by Hornberger / Peters. Motion passed.**

**Brief Citizen Comments - for items not on the Agenda**

none

**Conflict of Interest**

none

**Consent Agenda**

none

**Business**

***Non-farm Master Plan Issues and Action Recommendations***

Peters - she and Wunsch are co-chairs of a subcommittee that is looking into master plan implementation of work plans. Tonight is the 2nd of 3 scheduled meetings to look at goals / actions of master plan and framing the question - what do we need to do to implement? and who needs to do it?

Last time they discussed capital improvement plan (1st goal on the top) - Center Road (3rd goal). The handout has notes from previous meeting (available online - Oct. 3 meeting).

Tonight will be skipping over agricultural area (there will be a meeting next Thursday afternoon regarding those). Wunsch will be back from Kosovo at that point and will help lead that meeting. Looking at residential land use goals / actions tonight.

- *Re-evaluating the residential zoning districts:* Hayward shared that there was previous discussion about creating different districts and combining some. There are currently 4 residential districts - R1A, R1B, R1C, and R1D. R1A - one acre, R1B - 25,000 sq. feet (slightly more than 1/2 acre), R1C - 20,000 sq. feet, and R1D - 15,000 sq. feet. There was a recommendation to look at combining R1C and R1D into the previous two, but McKenna pointed out that would be very difficult to do due to increased density. Serocki also pointed out that R1B allows one house, while R1C allows two. If properties were changed to R1C, anyone who tears down their house can put two up, which increases density. The feedback from surveys and citizen groups is that they do not want that.

Hayward also pointed out that the original zoning ordinance saw ag land as future development - anything nonresidential was dumped into the ag category. If there was interest in separating out those zones, they should be called something besides agricultural and allow those in ag to have their property rezoned.

Westphal - to add to what Hayward said, carrying capacity was used to support arguments for PDR. As they studied various sections of land, the zoning didn't match the soils, slopes, best ag land for fruit crops, etc. When the zoning was created, it was often straight lines and didn't follow the topographic relief of the land. It would be good to look at what capacity some of the "less desirable" ag areas could have for residential development.

- *Plan development to preserve prime ag land, natural resources, unique character:* Peters pointed out this is a similar area. More work needs to be done when it comes to looking at ag land. Beyond the conversation of do we / do we not combine zoning areas, how do we continue the discussion further than that? What kind of group do we need - what types of information? Is it a PC issue? (Serocki added that both Michelle and McKenna didn't want to / didn't recommend removing any of the designations. All four should remain in the new future land use map.)

Westphal suggested that if preserving the better ag land is a priority, where can developments best be located, based on the land? Probably would require a PUD designation, but they could be more strategic in designations.

Serocki - we have PUD ordinances to preserve the elements, but we don't have the standards to pressure developers to stay within that. We want to have standards within the zoning ordinances. We need more specific standards (i.e. tearing out trees, bulldozing hills to build homes) in place.

Peters suggested the need for more study and committee meeting groups to provide direction to the PC. In regards to Westphal's idea of how to look at each particular piece of property, Serocki also added that what the property owner wants to build is important - you can look at a property and think it would make a good PUD, but if the owner doesn't want to, you've wasted your time and money. If you're a property owner, it's your property. Westphal suggested providing case studies ahead of time to help people visualize what their options are. Hayward suggested giving property owners options - what are the tradeoffs? How can we encourage someone to do something the preservation way?

- *Preserve single-family character of various residential neighborhoods*: Peters - Since this was written, have we actually gotten better standards in regards to noise ordinance, junk ordinance, etc.? Rosi and Serocki agreed that both noise and junk ordinances are being enforced. They are trying to enforce the rentals that are less than 30 days, but they can only enforce when someone complains, so it's hard to track. It's definitely being broken.

Everyone agreed that they don't want to address B&B ordinances until the new board is in place and settled. Hornberger said that once they are settled, she would eventually like to see how they feel about short-term rentals on larger properties, B&Bs, etc.

The master plan is trying to anticipate potential problems before the fact, instead of waiting until afterwards.

Westphal brought up rentals - she can see in dense neighborhoods where this could be (and has been) a problem, but in areas that are more ag land, it's less of an issue. One issue that may be on the horizon, though, is marijuana growth ("home-based business").

- Peters brought up that in some MI jurisdictions, the PC becomes the final approval place when a new zoning or new amendment takes place. Here, the town board is the final say (the PC is a recommending board). They've been thwarted on several different issues - the PC works on it and then it gets thrown out at the town board level. In some early meetings, there were joint town board / PC meetings. Are there any other mechanisms to get feedback and a feel for where the town board is going to be?

Hayward suggested that the master plan be used for this. For example, the PDR program was developed by the PC through the master plan first.

A resident suggested that there be something on a preliminary level - a "yay" or "nay" before the PC moved forward with an idea - perhaps have a bullet point list and have a joint meeting. Rosi is familiar with communities where the PC moves forward (without the town board determining if it moves forward). Perhaps we could identify those communities and find out what they have in place to implement that here. A resident shared that from the public perspective, they are frustrated by this, too - they see things move forward, then get crushed. Things also move slowly.

Westphal suggested to use some of the survey work that was done on the master plan in the past - gather feedback from the public, then use that when approaching the town board. It is the voice of the people that you're working with. Also, the town board is elected, while the PC is appointed, so it makes for a different level of priorities.

There is a system in place for communication, but it's not necessarily working well. Should someone from the PC bring a topic to the town board, instead of making things go through the planner? Then it would open up communication so that they could have earlier feedback.

Serocki pointed out that the agenda from the town board always includes a report from the planner, but it's usually just on paper as a consent agenda item.

Westphal - open public sessions like tonight become increasingly valuable. The new town board is very interested in what everyone is doing and have different talents and different perspectives to bring to the board. This is a golden opportunity to increase communication between the two boards. A survey will also be important to give additional reach into the community for people who can't attend meetings.

- *"Provide pedestrian movement in high density and in commercial areas"* There isn't enough interest for BATA to have an official route. A resident asked if it had ever been discussed to provide a system for bike traffic. Yes, there was a lot of discussion about a north/south trail, but the main issue was the farming land. There are extra wide paved shoulders on M37.

Leak pointed out that there are a lot of great trails at the tip of the peninsula - the parks board is working on maps and signs to designate these trails more clearly.

Peters asked if there was something more we should be doing in regards to this. Rosi suggested that maybe if a continuous trail isn't an option, is there a way to create shorter routes for families? Is it worth a survey to ask? A resident shared that there is another public meeting coming up regarding the Bowers Harbor extension, but it all comes down to the cost of things like a trail - there isn't room for that in the budget.

Resident Curt Peterson - concerning the future land use map in regards to the Buchan / Old Mission Estates sub area. It is currently zoned as ag; in future it's changed to be one of the residential reduced down to 1 acre (right now they are 5 acres). They had an Old Mission Estate association meeting earlier this spring and residents don't want to see it changed from ag. Nelson Rd comes down from Center Rd. and is paved, then goes to a seasonal dirt road (one car wide, not maintained). That's right next to their subdivision. There are two lots on Nelson Rd. (two 20-acre plots) that are for sale for \$1.8 million and being advertised as potential winery sites. If that's the case, Nelson Rd. will be paved, and they don't want a main road by their sub. If designations get changed from ag to residential, there are more developmental pressures on that area. His association doesn't want to see that. They're requesting that the future land use map for Buchan, Old Mission Estate, and orchard area be kept as ag.

### **Citizen Comments**

Curt Peterson - this kind of meeting is excellent. He loves the give/take and conversational feel of the meeting. At regular PC meetings, business is talked about, then there's a time for citizens to comment, which feels backwards. This is excellent.

Joanne Westphal - The property that Curt was talking about earlier is the Edmonson property. She always pictured that as the start to a trail system. You can see how natural features could be linked up. That could be a nice bike trail away from motorized vehicles. It's a matter of getting a common vision. As a PC, let's think about how we can reduce the concerns about liability among the farming community that would allow that type of trail system to become a reality.

## **Board Comments**

Peters - We canceled our regular meeting on November 21 and now have a meeting on the 28th. Let's consider these things when we set our agendas for the year. Hayward will bring it up at the meeting. Is Dusty from Vineyard Ridge providing info at the next meeting? - He knows about the change in dates. Hayward is working on getting materials from him. - Can it be done by the 21st so that she can take it with her? - He was planning on waiting until he had everything completed and Hayward is trying to get him to give shorter plan sooner. He is pushing to get whatever he has done immediately.

**Motion to adjourn by Serocki / Peters. Motion passed.** Meeting adjourned at 8:26 p.m.