

PENINSULA TOWNSHIP PLANNING COMMISSION
SUBCOMMITTEE MEETING NOTES
DECEMBER 13, 2016

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

Also present: G. Hayward, N. Heller, C. Ruzak (left early)

Call to order: 4:58 PM

M. Peters will be chairperson, L. Serocki will take notes.

AGENDA: Review McKenna Draft #2 Peninsula Township Zoning Ordinance (Dated 10/31/16)

Determined that subcommittee will start on Article #1 and precede through each section. At the end of this review, the document will be cleanly written, contain no unnecessary legalese, and every word will be important. There will be a marked-up copy for McKenna as to what needs to be rewritten, reworded, removed, or added. The subcommittee acknowledges that there are some areas that need further discussion by the Planning Commission.

ARTICLE 1 Section 1.01: First Paragraph: **Remove “herein”**. Awkward paragraph; several suggestions for clarifying, but did not find a suitable rework. **First paragraph should be reworked by McKenna. Second paragraph: remove “hereby” “to provide” and “viz.”**

Section 1.02: **Remove “and will be referred to herein as this Ordinance.”**

Section 1.03: **Remove “To” in all bullet points (A through K).**

Section 1.04: **Awkward sentence, should be reworked by McKenna.**

Rewrite should include: Remove “hereinafter” from Page 1-1 and remove all underlined words on Page 1-2 as follows: covenant or deed; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits or by such private restrictions, the provisions of this Ordinance shall control.

Section 1.05: Check into case law and see if necessary to state “clause, sentence, sub-sentence, paragraph, section” or if stating “any part of this Ordinance” would suffice. Correct misspelling of judgement (twice in sentence; corrected below). **Proposed paragraph with underlined words removed and italicized words added: If any clause, sentence, sub-sentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid such *the* judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, sub-sentence, paragraph, section or part thereof directly involved in the controversy in which said *the* judgment shall have been rendered.**

Section 1.06: **Remove “thereto.”**

Section 1.07: No change.

ARTICLE 2 Section 2.01 **First sentence should read: For the purpose of this Ordinance, the following rules of construction apply.**

Section 2.02 **First sentence should read: For the purpose of this Ordinance, the following definitions and interpretations apply.**

(1) Accessory building or Accessory Structure. **Remove semi-colon and add “but not laundry facilities” to second sentence. Change to (add italicized): An accessory building or structure may have water and sanitary or septic sewer service, *but not laundry facilities*, subject to the following restrictions.**

(b) Delete “or laundry” and semi-colon.

Remove second paragraph: “Commercial agriculture buildings located on a farm are not classified as accessory buildings or accessory structures.”

(2) Accessory Use. No change.

(3) Adequate Permanent Access. **Delete this definition.**

(4) Adult Foster Care Facility, (a) Adult Foster Care, Family Home,

b) Adult Foster Care, Small Group Home. No change.

(5) Agricultural Labor Camp. **Unlicensed should be added. Delete “An agricultural labor camp means.” Determine if this covers the tract of land or only building or other structures. Determine if it cover families. Delete “pertaining thereto.”**

(6) Agricultural Labor Camp, Licensed. **Delete “An agricultural labor camp” and change so that wording is similar to above (Agricultural Labor Camp).**

(7) Alterations. No change.

(8) Basement. **Delete second sentence.** Continue discussion at PC if or when a basement is ever a story.

(9) Bed and Breakfast Establishment. **Remove “means.” Change transient tenants to “registered guest” (used three times in sentence).**

(10) Board of Appeals. No change.

(11) Boarding of Livestock. **Delete the following “with or without remuneration, on agricultural land or in buildings incidental to the use for agricultural purposes but not for hourly rental of animals and not a petting farm”.**

(12) Boat Hoist. **Change first sentence to : A device to raise boats above or out of the water.”**

(13) Boat Livery. **Delete this definition.**

(14) Building. **Delete the second sentence.** Will continue discussion when working on regulations.

(15) Building Area. No change.

(16) Building Elevation or Building Width. **Remove Building Elevation from this definition; will be definition for Building Width only, as Building Width is on design plan. Change definition to: The width of the building foundation as shown on elevation drawings, excluding porches, measured along the main foundation of the building on each side. Need a definition for elevation drawing; should be provided by McKenna.**

(17) Building Envelope. **Delete last two sentence.**

(18) Building, Front line of. **Change second sentence: This line includes sun parlors and enclosed porches, but does not include *uncovered* steps.**

(19) Building, Height of. **Change sentence to read (underlined to be removed): The vertical distance measured from the median (i.e.) center elevation of the finished grade line of the ground of the center of each side of the building to the highest point of the roof. See Figure 1 below. In the example of Figure 1 below the height of the building shall be the height of the water side and/or walk-out side.**

This definition and the standards need further discussion. Two and a half stories determined by health, safety, and welfare; no ladder truck, volunteer firefighters, no building codes.

(20) Building Lines. **Delete definition.**

(21) Building, Principal. No change.

(22) Campground. **Delete “Mean.” Delete “wherein” and replace with “where.”**

(23) Cellar. No change.

(24) Child Care Organization. **Delete “promulgated.”**

(a) Child care center or day care center. **Delete “means.” Delete “such.”**

Should be capitalized to be consistent with other definitions?

(b) Child Care, Family Home. **Delete “means.”**

(c) Child Care, Group Home. **Delete “means.”**

(25) Common Land. **Beginning of sentence should read: A parcel or parcels of land together with *any* improvements the use, maintenance, and enjoyment of which are intended.....**

(26) Decibels. **Delete second sentence.**

Further discussion needed at Planning Commission level: If basement is considered a story (does it depend on door?). Bed and Breakfast standards and replacing transient tenant with registered guest. The definition and standards of building and building height.

Next meeting: January 4, 2017 at 5PM in the conference room.