

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

PENINSULA TOWNSHIP PLANNING COMMISSION AGENDA

Special Meeting

Rescheduled Regular Meeting

February 5, 2026

7:00 p.m.

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments (For Agenda Items Not Schedule for Public Hearing)**
6. **Communications**
7. **Conflict of Interest**
8. **Approve Meeting Minutes**
 - a. Approval of Meeting Minutes: January 5, 2026 & January 14, 2026
9. **Planner Report**
10. **Business**
 - a. Continuation: Application for Zoning Amendment #207 (Jan Agenda #206) to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C
 - b. **PUBLIC HEARING-** Zoning Amendment #206 Shoreline Regulations
 - c. Zoning Ordinance Rewrite Discussion
 - i. Amendment 201 Acreage
 - ii. Signage Draft Ordinance
11. **Reports and Updates- Verbal**
 - a. Agricultural Advisory Committee (Beard)
 - b. Township Board (Alexander)
 - c. Non-Motorized Plan (Shipman)
12. **Brief Public Comments (please keep comments to 3 minutes or less)**
13. **Other Matters or Comments by Planning Commission Members**
14. **Adjournment**

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the clerk.

Item 10a

Continuation: Application for Zoning Amendment #207 (Jan Agenda #206) to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C

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Shaina LaFond, Recording Secretary

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Planning Commission Regular Meeting January 5, 2025, 7:00 p.m. Township Hall Minutes

1. **Call to Order by Beard at 7:00 p.m.**
2. **Pledge**
3. **Roll Call – Present:** Beard, Hall, Hornberger, Shipman; **Excused:** Alexander, Eckstein, Shanafelt; Township Planner of Record -- Elise Loud; **Virtual:** Chris Patterson, Fahey Schultz Burzych Rhodes
4. **Approve Agenda**

Motion to approve the agenda as written made by Hornberger, seconded by Hall.

Motion Passes

5. **Brief Citizen Comments (for non-agenda items only):**

Bill Policastro, 1080 Bayside Drive: retired land use and municipal attorney urges township to obtain formal legal and insurance guidance before advancing any ordinance regulating boat hoists or in-water structures. States that Great Lakes bottomlands are owned by the state and regulated through EGLE, that municipal zoning authority ends at the ordinary high-water mark, and that state and federal jurisdiction may preempt local regulation. Warns that regulating beyond township authority could raise jurisdictional, preemption, and constitutional issues, including takings, due process, and equal protection claims. Recommends that township legal counsel formally assess authority, preemption, and constitutional risk, and that the township's insurance carrier review any proposed ordinance to evaluate litigation exposure and coverage implications. Submits handout for the record.

Anne Anderson, 10985 Trillium Ct: states that shared waterfront neighborhoods are being unfairly targeted by proposed boat hoist and parking regulations. Emphasizes her neighborhood's long history of responsible self-regulation, adequate parking, and strong community stewardship, and objects to characterizations of shared frontage areas as marinas or sources of congestion. Argues that the proposed standards do not reflect on-the-ground conditions and penalize communities that have not caused the problems cited.

Kendall Smith, 2258 Montmorency Ln: asks for clarification on how proposed limits of three shore stations per 50 feet would be calculated for shared frontage properties. Notes that his association has 292 feet of frontage and requests that the standard be applied as "per 50 feet or part thereof," which would allow additional shore stations rather than limiting them to full 50-foot increments.

Holly Mullins, 1153 Braebury Way: thanks the committee for its work and echoes prior comments from her neighborhood regarding shared waterfront concerns. References the recent survey results as a clear signal that the township should reflect, change course where needed, and avoid actions that could lead to further litigation or financial harm. Urges the committee to view the survey as an opportunity to reassess its approach, listen to community concerns, and engage in constructive dialogue, emphasizing the responsibility that comes with decision-making authority.

Sally Erickson, 2228 Kaukauna Ct: asks the committee not to codify the current shoreline draft language without further input. Requests reconsideration of provisions for shared frontage, including requiring docks to be centered and allowing L- or T-shaped configurations, which she believes would improve safety for adjacent properties. Emphasizes support for reasonable boat use, urges the committee to visualize the cumulative impact of increasing hoists from one to three per 50 feet, and encourages thoughtful decision-making before finalizing the ordinance.

Charlie Kretschmer, 1101 Bayside Dr: objects to proposed parking requirements for subdivisions, stating that Bayside Woods cannot physically accommodate the number of parking spaces contemplated. Explains that the subdivision is fully built out, lacks available space for additional parking, and has historically managed parking safely on existing roads without congestion. Argues that on-street parking within the subdivision is safer and more practical than redirecting vehicles to Peninsula Drive and urges the committee to reconsider applying uniform parking standards to established neighborhoods.

Kevin Westrick, 1089 Quaker Valley Dr: speaks strongly against proposed shoreline and parking regulations, stating that he moved to township for shared frontage access and believes the township is acting beyond its jurisdiction. Characterizes the proposals as regulatory overreach and questions the fairness and consistency of enforcing parking limits for shared waterfront use while allowing similar or greater impacts from private gatherings. Accuses the township of ignoring public input, creating unnecessary legal exposure, and placing residents at risk of increased taxes due to litigation, and urges the Commission to reconsider its direction.

Katharine Pike, 6095 Red Fox Run: speaks in support of dock configurations that protect swimmers. States that shared waterfront areas are used by swimmers as well as boaters and describes safety risks posed by boats maneuvering near swimming areas. Argues that L- or T-shaped docks are a reasonable measure to reduce propeller hazards and prevent injuries, noting that such safety issues could result in serious harm and litigation.

6. Communications: outside of packet, attachment to Kip Nickel's email left out inadvertently

7. Conflict of Interest: none

8. Approve Meeting Minutes

a. December 2, 2025 Planning Commission Regular Meeting

Motion to approve the minutes made by Hornberger, seconded by Hall.

Motion Passes

9. Planner Report

Key 2026 priorities include continued work on the zoning ordinance rewrite, updates to the zoning map, and development of an online permitting system. Announces the transition of the planning consultant role to township zoning administrator Sara Kopriva and her firm, with coordination underway to ensure a smooth handoff. Notes ongoing efforts to update the zoning rewrite project plan and align it with litigation timelines. Reports progress toward hiring a full-time planning and zoning administrator and highlights added capacity from recent staff support.

10. Business

a. Introduction: Application for Zoning Amendment #206 to rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C

Loud explains that the request is consistent with the master plan's suburban residential designation, would eliminate administrative complications created by dual zoning, and would modestly increase allowable density through smaller lot sizes and greater lot coverage, while uses would remain largely the same. Applicant characterizes the request as a housekeeping measure to align zoning with surrounding parcels and the future land use map, noting that no development proposal is being advanced at this stage. Commissioners raise concerns about steep slopes, tree preservation, erosion risks, and whether engineering or development standards differ between R1A and R1C, as well as the potential precedent for other steeply sloped properties. Questions raised about the realistic number of units that could be developed given topography, road access, and fire safety requirements. Staff and the applicant explain that slope protection and engineering review occur through separate standards and permitting processes, not zoning alone, and that any future development would still require county and township review. Commission agrees additional information is needed before scheduling

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a public hearing, including analysis from the zoning administrator on slope-related requirements, confirmation of remaining tree cover and long-term protection options, and clarification of engineering standards. Request that the incoming zoning administrator be fully briefed and provide input before the matter proceeds further.

b. Zoning Ordinance Rewrite Discussion

i. Amendment 201 Acreage

Review of proposed revisions regarding acreage-based agricultural uses. Staff explains that the Agricultural Advisory Committee (AAC) recommends lowering the threshold so parcels of 40+ acres would be eligible for the same uses and privileges currently limited to parcels of 60 acres or more. Staff presents preliminary data showing 81 parcels in the township that are 40 acres or larger, including approximately 40 parcels between 40 and 60 acres that could become newly eligible under the proposed change. Members note that the data provides only a high-level snapshot and does not indicate how many parcels are already in agricultural production or associated with existing wineries or farm operations. Staff/PC agrees that additional context is needed to assess potential impacts and suggests further analysis, data sharing, and consultation with the AAC.

ii. Signage Draft Ordinance

Review of updated draft signage ordinance revisions from the McKenna Group and identifies several unresolved issues. Members agree that the revisions reflect prior feedback but that additional clarification and full commission input are needed. PC decides to defer further action until a future meeting when more members are present and to refer the draft to the AAC for additional review. Members express concern about requiring permits for seasonal agricultural signage and emphasize avoiding unnecessary administrative burden. Discussion on extending the allowable duration for one-time event signs remains open.

iii. Shoreline Draft Ordinance

Review a heavily reorganized/marked-up shoreline ordinance draft prepared by McKenna and township counsel and hears counsel's legal overview that the township's role is to regulate upland land use impacts and the exercise of riparian/littoral rights, while avoiding jurisdictional overreach into state and federal permitting. In working through the draft section by section, PC proposes targeted simplifications: add riparian/littoral references to intent sections; remove or replace several land use permit triggers (especially for shared docks and a second dock on wide-frontage lots); keep the 8-foot dock width cap but exempt patios and swim platforms; and tighten wording in definitions, storage, and measurement references. PC flags the dock-placement/setback framework as overly complex and recommends a clearer "no encroachment into setbacks" rule, paired with an administrative-first dispute process (zoning staff with standards and appeal to ZBA) to handle irregular shoreline geometry and neighbor conflicts. Commission decides to retain the "three hoists per 50 feet" standard without proration for now and identifies the longstanding shared-waterfront parking language as needing clarification so the long-used shoulder-parking interpretation is explicit rather than discretionary.

Next steps are influenced by the need for clarity and timing before dock installation season. Staff outlines a tight timeline involving incorporation of comments, review by McKenna and legal counsel, coordination with the zoning administrator, and required publication deadlines. To ensure accuracy before a public hearing, the commission agrees to hold a special meeting on January 14 at 4:00 p.m. solely to review the revised draft. The commission defers setting a public hearing for the February 5 regular meeting until after that review, with the goal of staying on track for township board consideration and timely enactment.

c. Planning Commission Training Opportunities

Beard describes option training opportunities for commissioners which include the MSU Extension Citizen Planner course (online, self-paced, \$250 reimbursable through the township), MTA online training, and the more advanced Master Citizen Planner credential. Beard proposes arranging a parliamentarian-led session on Robert's Rules to improve meeting efficiency and procedure. Commissioners express appreciation for the guidance, completion of at least the MSU course, preferably proactively, is encouraged, noting its practical value and flexibility.

11. Reports and Updates - Verbal

- a. **Agricultural Advisory Committee (Beard):** next meeting is January 20th. Did not meet in December.
- b. **Township Board (Alexander):** not present at meeting
- c. **Non-Motorized Plan (Shipman):** work is ongoing to identify a public engagement date, which will occur no earlier than April.

12. Brief Citizen Comments:

Kip Nickel, 1015 Quaker Valley Drive: urges PC to review his submitted written comments and to reconsider requiring land use permits for shared waterfronts, noting that many such developments have operated successfully and largely in compliance for decades without them. Argues the permit process is burdensome and unnecessary, particularly for existing neighborhoods and recommends eliminating parking requirements tied to boat hoists, as parking has historically been self-regulated, rarely reaches capacity, and is seldom an issue in practice. Acknowledges the difficulty of the work and appreciates the commission's/shoreline study group's work, but encourages simplifying the ordinance by removing requirements he views as unnecessary.

Scott Duensing, 1777 Buchan Drive: member of the Shoreline Regulation Study Group, expresses support for the direction of the draft ordinance, noting it largely reflects the group's prior conclusions. Supports eliminating parking requirements as impractical and endorses shoreline-based storage standards rather than reliance on the ordinary high water mark, which he says is difficult to verify and less adaptable to changing lake levels. Strongly supports developing an administrative conflict-resolution process, arguing that while conflicts are infrequent, they can be severe and are better resolved through facilitated, local review than through the ZBA. Raises concerns about equity, questioning why shared waterfront owners face permit requirements while single-family dock and hoist owners do not, and suggests reconsidering permits in favor of a registration or administrative framework applicable to all. Urges broader recognition of non-boating shoreline users such as swimmers, kayakers, and pedestrians, and thanks the commission for its progress and efforts.

David Spinweber, 966 Bayside Drive: raises concerns about timing, fairness, and process related to shared waterfront land use permits. Asks what assurances exist that any required permits would be processed quickly—specifically questioning whether permits could be approved within 30 days and what safeguards prevent administrative delays, given seasonal dock deadlines. (In response, staff clarify that land use permits for shared waterfronts are not new requirements; they already exist in the current ordinance, and existing shared waterfront developments obtained permits when originally approved. New permits would only be required for new shared waterfronts.) Spinberger also questions why parking requirements are tied to the number of boat hoists, noting that roadside parking on county roads has long been measured and deemed compliant.

Dirk Mammen, 10878 Wood View Terrace: thanks the PC for its work and, drawing on his own experience in land-use and ZBA roles, urges the commission to correct past mistakes rather than preserve flawed provisions. Argues that long-standing parking requirements and land use permit processes for shared waterfronts should be removed, noting that many neighborhoods predate those rules and already comply with clear setback and use standards without permits. Stresses equal treatment, asserting that either all shoreline users, including single-family owners, should be subject to permits or none should be. Cautions that the most difficult conflicts will not involve dock geometry but neighbors objecting to boat use altogether, which he believes cannot be resolved through administrative processes alone. Challenges the characterization of the draft as merely clarifying existing rules; emphasizes that it introduces new numerical limits, setbacks, storage rules, hoist formulas, and permit requirements, and should be acknowledged as a substantive change.

Christopher Radu, 1328 Londolyn Terrace: seeks clarification on whether the ordinance would require annual land use permits for shared waterfronts and expresses relief at the clarification that it would not. Reiterates long-standing concerns that many associations predate current ordinances and cannot feasibly meet parking requirements, and welcomes the commission's apparent openness to revisiting those provisions. Strongly advocates for applying a "law of significant digits" approach to shoreline frontage thresholds, arguing that modest shortfalls (e.g., 191 feet versus 200 feet) do not materially increase impacts and that rigid cutoffs unfairly

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burden legacy associations formed before compliance was possible. Contends that this approach would resolve many recurring disputes without increasing shoreline intensity. Raises legal concerns about relying on inland-lake case law to justify township jurisdiction over Great Lakes shorelines, citing prior litigation he believes casts doubt on that authority, but notes that with clear thresholds, no annual permitting, and removal of parking requirements, many of his jurisdictional objections would be alleviated.

Maura Sanders, 20202 Center Road: offers public thanks to Loud for her service as planner, noting that she stepped in during a critical period for the township's planning department, remained longer than initially expected, and provided much-needed stability and expertise. Expresses deep appreciation on behalf of the township and noted the hope of continuing to work with her on future projects.

Kendall Smith, 2258 Montmorency Lane: suggests a prorated approach to boat hoists, proposing that the three-per-50-foot standard be translated into an approximate 17 feet per hoist. Using that method, he argued his 292-foot shared frontage could reasonably accommodate 11 hoists without exceeding the total shoreline length, offering this as a simple, equitable calculation.

Sally Erickson, 2228 Kaukauna Court: recommends that the commission compile a reference list of all shared waterfront parcels—subdivisions and condos—showing their approved entitlements (families, slips, docks) and any documented complaints, to better target real problem areas rather than applying broad changes peninsula-wide. Using Port of Old Mission as an example, she notes its PUD approvals allowed 21 families and three slips, with amendments documented and no history of complaints. Raises a safety concern about dock design and setbacks, asking whether the 15-foot measurement would be taken from the dock or from the stern of boats, warning that measuring from the dock alone could still create conflicts in swimming areas.

Katharine Pike, 6095 Red Fox Run: states that shared waterfront residents had hoped for a safety-based requirement for T- or L-shaped docks, which appears to have been removed. Describes severe safety issues at her shallow shared frontage, where multiple docks converged and boats regularly passed through her swimming area, making swimming unsafe. Emphasizes the risk of serious or fatal propeller injuries and rejects the assertion that shared waterfronts have operated successfully for all neighbors. Supports simplified setback language requiring the entire dock and the full length of boats, including sterns, to remain at least 15 feet from adjacent riparian areas, stating her primary goal is the ability to swim safely.

Bill Policastro, 1080 Bayside Drive: emphasizes that dock safety, placement, and neighbor impacts are already reviewed through the joint EGLE and U.S. Army Corps of Engineers permitting process, which requires input from adjacent property owners and addresses navigational, safety, and environmental concerns. Cautions the township to proceed carefully to avoid jurisdictional overreach into state-owned bottomlands and potential state or federal preemption. Thanks the commission for withdrawing the registration requirement, warning it could have raised equal-protection concerns, and urges that any new shoreline regulations be narrowly tailored and grounded in a clear, written legal opinion identifying both authority and risk to avoid unnecessary litigation.

13. Other Matters or Comments by Planning Commission Members:

Beard: survey results were in packet, but given the lateness of the hour, discussion on that will be deferred

14. Adjournment

Motion by Hal to adjourn, seconded by Hornberger.

Motion passes

Meeting Adjourned at 10:23 p.m.

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Planning Commission Special Meeting January 14, 2025, 4:00 p.m. Township Hall Minutes

1. Call to Order by Beard at 4:00 p.m.
2. Pledge
3. Roll Call – Present: Alexander, Beard, Hall, Hornberger, Shanafelt; Excused: Eckstein, Shipman; Township Planner of Record - Sara Kopriva; Virtual: Jacob Witte and Sophia Youssif, Fahey Schultz Burzych Rhodes
4. Approve Agenda

Motion by Hall to approve the agenda as written, seconded by Hornberger.

Motion Passes

5. Brief Citizen Comments (for non-agenda items only):

Dirk Mammen, 10878 Wood View Terrace: raises concern about tying parking requirements to the number of boat hoists, particularly in older shared waterfront neighborhoods lacking designated parking. States that parking demand is driven by beach use rather than hoist count, that most residents walk, and that hoist-based parking ratios are unrealistic and unenforceable. Questions disparate treatment of shared waterfronts versus single-family parcels and expresses concern that the language could be interpreted to prohibit hoists solely due to the absence of parking facilities.

David Spinweber, 966 Bayside Drive: notes that at the prior meeting he was told the parking requirement would be removed, but observes it remains in the current draft. Requests clarification on why it is still included and is advised that the provision remains in draft form and is scheduled for further discussion.

Bill Policastro, 1080 Bayside Drive: thanks PC, staff, and counsel for extensive recent revisions to the ordinance and expresses appreciation that public input was considered. Reiterates concerns about the parking provisions, stating that if parking remains tied to hoist allowances, the language could be interpreted to prohibit hoists in subdivisions without dedicated parking. Requests clarity on whether parking will be removed or revised and looks forward to further discussion.

Sally Erickson, 2228 Kaukauna Ct: thanks PC and raises questions about how existing developments will be treated under new shoreline rules, specifically whether previously approved projects will be grandfathered. Additional time is requested to conduct a side-by-side comparison of prior and proposed regulations to understand impacts on existing subdivisions. Emphasizes the importance of clear, enforceable standards, noting that prior rules lacked effective enforcement.

Fred Swaffer, 1045 Gray Road: thanks PC for advancing the ordinance but raises several substantive concerns. Questions the requirement for a land use permit for shared frontage, arguing that use is equivalent to adjacent private parcels and the distinction appears discriminatory and unnecessary given longstanding tax-based identification. Also has a concern about frontage and hoist formulas that appear inconsistent, particularly for parcels under 100 feet with more than two families that have existed for decades and lack a clear continuation or enforcement approach. Says the parking-to-hoist linkage as described is unworkable, especially where roadside parking could later be restricted, effectively reducing allowable hoists. Questions enforceability of requiring proof of state/federal dock permits, suggesting such enforcement should remain with those agencies.

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Katharine Pike, 6095 Red Fox Run: urges PC to resist fear-driven decision-making influenced by litigation threats and to prioritize shoreline safety and environmental integrity. Emphasizes that increased boat density endangers swimmers and small-craft users, contributes to water pollution, and can cause shoreline erosion, citing observed impacts from neighboring shoreline management. Opposes rounding up frontage calculations to allow additional hoists, arguing for clear, firm standards grounded in fairness and environmental protection. Asserts that swimmers, kayakers, and paddleboard users are not a vocal minority but an underrepresented majority, and asks that shoreline regulations protect natural use rather than expand privileges for motorized watercraft owners.

Scott Duensing, 1777 Buchan Drive: member of the Shoreline Regulation Study Group, states that the group's intent was to apply reasoned, common-sense updates to an outdated ordinance in response to growth and increasing shoreline use pressures. Concerned that prior discussion appeared to support removing parking-related provisions because of inconsistent applicability across existing subdivisions, yet those sections remain in the current draft and may have been overlooked. Additional concern raised regarding Section 6, Paragraph 3A, noting that the purpose and scope of the access-limitation chart are unclear, including whether it applies only to shared frontage or also to single-owner properties, and that the provision may create confusion by regulating access rather than hoists or boats. Requests clarification of intent and consideration of removing provisions that do not add clarity or practical value.

Anne Anderson, 10985 Trillium Court: states that shared waterfront owners are responsible stewards rather than problem actors. Describes neighborhood practices including shoreline restoration, beach cleanups, designated swim areas, kayak access, and self-regulation to protect swimmers, small craft, and environmental quality. Emphasizes that shared frontage neighborhoods function comparably to single-owner frontage and often mitigate impacts caused elsewhere and explains that shared frontage is chosen for safety, community, and family reasons. Urges the PC to avoid treating shared waterfronts as inherently different or problematic.

6. Conflict of Interest: none declared

7. Business

a. Zoning Ordinance Rewrite Discussion – Shoreline Draft Ordinance

Beard asks Hall to lead the discussion. Hall cautions “grandfathering” is limited to lawful, pre-existing nonconforming uses and likely will not protect existing dock placement under new standards; prior permits/approvals for shared waterfronts remain fact-specific. Draft review then focuses on: clarifying cumulative “permitted by right” zoning references; defining docks as “seasonal” and still requiring state/ federal permits; tightening “no township permit” language to avoid misreading and to confirm shared-waterfront compliance still applies; and creating clearer processes for resolving dock placement conflicts (zoning administrator first, ZBA on appeal). Key substantive edits: storage setbacks measured from the higher of ordinary high water mark (OHWM) or shoreline; right-of-way defined as the full ROW; shared-dock arrangements treated as seasonal and informal between owners of adjoining properties (no added township paperwork); “equipment” clarified/possibly narrowed; and offseason storage confirmed as within lot lines for docks/hoists/equipment (no additional side setbacks). Section 13: choose the tailored zoning-administrator waiver framework (Proposal 1) with edits clarifying: written decisions, appealable “decisions,” ability to deny unworkable requests, criteria refined toward hardship/expense and impacts on adjacent properties. Shared-waterfront section: delete carryover “approval” language, reject broad owner/access change notifications, relabel confusing “minimum lot width” table as “minimum shoreline width,” and assign staff to compile shared-waterfront data to reassess the table. Parking provisions are deleted as unenforceable/duplicative; minor cleanup aligns setbacks for portable toilets and fixes a clerical error regarding a phrase pulled from the fence ordinance.

Meeting then recesses for a short break.

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PC agrees that revisions discussed this evening will be incorporated into the draft ordinance by legal counsel and returned promptly. PC considers whether the draft is sufficiently developed to proceed to a public hearing. While some terms remain open for refinement—most notably the minimum shoreline width chart in Section 6.3—members agree that these issues can be addressed through the public hearing process. Staff confirms that necessary background information can be assembled prior to February.

Motion by Hall to schedule a public hearing on the revised shoreline zoning ordinance amendments at the February 5th special meeting of the Planning Commission, seconded by Shanafelt.

Discussion notes the extensive multi-year review process and acknowledges that disagreement remains on certain provisions, which are expected to be raised at the hearing.

Roll Call Vote: Hall: yes; Hornberger: yes; Beard: yes; Shanafelt: yes.

Motion Passes Unanimously

8. Citizen Comments:

Gordon Hodges, 1331 Lin Dale Drive: thanks the PC chair for sustained leadership in advancing the ordinance. Suggests improved clarity by clearly distinguishing terminology between “shared waterfront” and “shared dock,” noting current overlap causes confusion. Expresses concern regarding continued uncertainty around the shoreline-width scaling provisions. States appreciation for removal of parking requirements, which had been confusing. Emphasizes timing concerns, noting dock installers are already scheduling work and prior assurances indicated the ordinance would be resolved before spring; delay could result in noncompliance and added expense for property owners.

Peter Dee, 2332 Harbor Reach: raises concern about proposed hoist storage requirements tied to the OHWM, noting practical conflicts where road right-of-way and OHWM overlap, potentially forcing hoists closer to roads and creating safety and obstruction issues. Questions feasibility and enforceability of requiring above-high-water-mark storage and warns such requirements could invite legal challenge on jurisdictional grounds. Additional concern regarding Table 3A, asserting the existing ordinance places the chart within parking provisions and historically ties “families” to parking allocation rather than shared-waterfront access or density; suggestion made to review ordinance history to confirm original intent before repurposing the chart for shoreline-use regulation.

Katharine Pike, 6095 Red Fox Run: thanks PC, particularly Shanafelt, for prioritizing consistency with the master plan and aligning shoreline regulations accordingly. Support for limiting single-family parcels to a fixed number of boats per dock rather than a linear-foot formula, citing concerns that higher ratios incentivize commercial or quasi-commercial uses (boat rentals, floating short-term lodging). Requests prevention of increased density on shared waterfronts, specifically noting potential impacts to children, neighborhood character, and rural shoreline conditions. Asserts that shared-beach ownership inherently involves tradeoffs, including lower allowable boat density per family, and that higher-density boating should require private waterfront ownership rather than expanded rights within shared frontage developments.

Anne Anderson, 10985 Trillium Court: warns that measuring hoist storage from the higher of the OHWM or shoreline would force many shoreline owners—especially along Peninsula Drive where the road closely parallels the shore—to relocate hoists into front yards, creating greater visual and safety impacts than current shoreline-adjacent storage. Rule would affect both shared and single-family properties. Describes an existing shared-waterfront dock policy limiting one hoist per household, managed through an annual review and waitlist despite 30+ homes sharing approximately 300 feet of frontage. Offers evidence that shared waterfronts can self-regulate responsibly without increasing density, and encouragement for ordinance standards that reinforce, rather than disrupt, effective existing management practices.

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Scott Duensing, 1777 Buchan Drive: observes that the disputed chart originated as a parking-regulation tool in the original ordinance and was likely carried forward by cut-and-paste, reinforcing the decision to remove parking from shoreline regulation and suggesting further analysis of the chart may be unnecessary. Explains that seasonal storage standards were intentionally broad (“all items”) to cover docks, hoists, kayaks, racks, and related equipment, with core principles of storage within property lines, out of the road right-of-way, consolidated and neatly stacked, and avoidance of floodplain/low-water exposure where feasible. Cautions that rigid high-water-mark requirements could unintentionally force hoists toward road rights-of-way or front yards, worsening visual and safety impacts. Defends the 3-per-50 standard as a deliberate compromise designed to bring 75–80% of shared-frontage developments closer to compliance and reduce jurisdictional conflict, emphasizing it was not arbitrary. Warns that reducing the ratio (e.g., 2-per-50) could undermine voluntary conformance, and urges careful reconsideration of the high-water-mark storage rule while acknowledging progress toward consensus.

Dirk Mammen, 10878 Wood View Terrace: echoes prior concerns about hoist storage, urging flexibility (not rigidity) in winter storage rules to account for steep slopes, OHWM near roadways, and long-standing erosion-control plantings. Warns that forcing hoists above the OHWM could damage vegetation, worsen erosion, create unsafe angled storage on icy slopes, and be more visually intrusive. Emphasizes environmental stewardship and supports the 3-per-50 hoist standard as a reasonable compromise.

Fred Swaffer, 1045 Gray Road: notes that defining swim platforms strictly as dock attachments may be problematic in low-water conditions, where platforms alone may be used. Argues that reducing hoist ratios would not meaningfully reduce boat density, but would instead reduce convenience and shift pressure to already-limited public launch sites, increasing roadside parking and congestion. Supports 3-per-50 as a compliance-focused standard. Also expresses relief that parking provisions were identified as misplaced and removed, clarifying that Section 6 was about parking rather than shared waterfront regulation.

Sally Erickson, 2228 Kaukauna Court: explains that the disputed chart historically functioned as a density-control tool, not solely a parking standard. Describes how, during a 2001 special use permit approval, the chart limited the number of families allowed access to shared beach frontage (first family per 50 feet, then 5 additional feet per family), resulting in approval for 21 families and three boats on 157 feet of frontage. Access was managed through a purchasable beach amenity, not automatic ownership, and not all memberships were sold. Contrasts this with an adjacent site-condo development that later amended its master deed to remove township-imposed limits, leading to overuse impacts. Urges the commission to review how each shared waterfront was originally approved, noting many associations have long complied responsibly. Offers photographic documentation of impacts for the record and thanks the commission for addressing a longstanding, complex issue.

9. Other Matters or Comments by Planning Commission Members:

Beard: notes that recent survey results were included in the prior meeting packet and have been reviewed, but states that several findings remain unclear. Announces intent to formally request that EPIC MRA (or a representative) present to the PC to explain and interpret the survey data. Purpose would be to clarify results relevant to the Commission’s responsibilities, particularly master plan updates and zoning ordinance revisions, and to identify whether the data suggests specific areas of the code warrant amendment. Request to be made to the Township Board imminently.

10. Adjournment

Motion by Hornberger to adjourn, seconded by Shanafelt.

Motion passes

Meeting adjourned at 10:08 p.m.

Item 10a

Continuation: Application for Zoning Amendment #207 (Jan Agenda #206) to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C



project memorandum

Date: 02.02.2026
From: Sara Kopriva, AICP
To: Peninsula Township Planning Commission
Project: Zoning Amendment #207 (Jan Agenda #206) to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C



Following discussion by the Planning Commission, the next step is scheduling a public hearing.

Possible Motion: Motion to schedule a public hearing on amendment #207 to rezone parcel 28-11-009-029-10 from R-1A/R-1C to R-1C for the March 5, 2026 Planning Commission meeting.

At the January Planning Commission (PC) meeting, the PC was introduced to a rezoning request on Center Rd for 28-11-009-029-10. The request was to rezone the property from R-1A and R-1C to R-1C. The PC asked questions of the applicant and requested review at a future meeting.

Following the meeting, the applicant provided conditions on their proposed rezoning request. Under the Michigan Zoning Enabling Act, a rezoning applicant can offer conditions to their rezoning but the PC cannot require them to be offered. Should the Township agree to the conditions offered and approve the rezoning, the conditions would be recorded in an agreement for future development of the property.

Included in the packet is the offer of conditions as well as the documents that were included in the January PC packet.

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

Petoskey Office
113 Howard Street
Petoskey, MI 49770

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

Grand Rapids Office
100 Cesar E. Chavez Ave
SW Suite 300
Grand Rapids, MI 49503

734.663.2622 ph
734.663.6759 fx

231.347.2523 ph
231.347.2524 fx

231.933.8400 ph
231.944.1709 fx

616.585.1295 ph

BOWERMAN, FORD, CLULO & LUYT, P.C.

Attorneys and Counselors at Law
620-A Woodmere
Traverse City, Michigan 49686
(231) 941-8048
FAX (231) 941-8192

Gary L. Bowerman[#]
Gary M. Ford[#]
Timothy J. Clulo[#]
Gregory M. Luyt[†]
Cynthia A. Anderson^{*}
Diane K. Huff^{*}
Catherine B. Ballard[#]
Julius S. Moss
Jenelle L. Neubecker

Also Admitted in:
[#]Illinois
[†]Pennsylvania
^{*}Of counsel
[#]Of counsel - retired

January 26, 2026

Ms. Elise Loud, Planner
Peninsula Township
13235 Center Road
Traverse City, MI 49686

Re: Parcel No. 11-009-029-10
Conditional Rezoning Offer

Dear Ms. Loud:

This firm represents COLDPEN ONE, LLC (“Applicant”), the owner of the above-referenced Parcel No. 11-009-029-10 (the “Property”). As you are aware, the Property is currently split-zoned, with approximately 0.84 acres along Center Road zoned R-1C Suburban Residential District, and the remaining approximately 2.48 acres the Property zoned R-1A Rural and Hillside Residential District. Applicant has submitted an application for rezoning of the portion of the Property currently zoned R-1A, requesting that the entire Property be zoned R-1C. In furtherance of the pending application for rezoning, Applicant voluntarily tenders a conditional rezoning offer as set forth in this letter.

Applicant voluntarily proposes to accept and comply with the following conditions to be imposed with respect to the use and development of the Property in exchange for Peninsula Township's approval of the application for rezoning of a portion of the Property from zoning classification R-1A to zoning classification R-1C, so that the entire Property is zoned R-1C:

- (a) Notwithstanding the change in zoning classification to R-1C, and notwithstanding any other uses or development activities that may be permitted in zoning districts classified under zoning classification R-1C, Applicant agrees that all areas on the site measuring 20 percent grade or more will not be disturbed, except related to the construction of a treated lumber stair system allowing waterfront access from proposed Parcel 4 to proposed Parcel 5, depicted on the attached site plan drawing; and

Ms. Elise Loud, Planner
Peninsula Township
January 26, 2026
Page 2

- (b) Notwithstanding the change in zoning classification to R-1C, and notwithstanding the number of parcels that could otherwise be created within the Property under the standards and requirements applicable to zoning districts classified under zoning classification R-1C, Applicant agrees that no more than five (5) parcels will be created from the Property for development, as depicted on the attached site plan drawing.

As a condition of approval of the pending application for rezoning of the Property, the terms of the conditional rezoning offer set forth above would be incorporated into a Zoning Agreement between the Applicant and Peninsula Township, which would be subject to review and approval by the parties and their respective legal counsel. The terms of this conditional rezoning offer have been proposed voluntarily by the Applicant, and the Applicant intends that Peninsula Township may rely upon this conditional rezoning offer in granting the application for rezoning of the Property. No part of this conditional rezoning offer or the associated zoning agreement shall be interpreted to permit any activity, use, or condition that would otherwise be prohibited in the zoning district to which the subject portion of the Property would be rezoned (i.e., Zoning District R-1C).

If you have any questions regarding this conditional rezoning offer, or if you need anything further from the Applicant with regard to this conditional rezoning offer, please do not hesitate to contact me. Thank you for your consideration of these matters.

Very truly yours,



Gregory M. Luyt

GML/
Enclosure (1)
cc: COLDPEN ONE, LLC

1-012526-13409-belton
justan/bella vue/rezoning application/conditional rezoning offer letter_012526

January 5, 2026 Packet Information

Application for Zoning Amendment #206 to rezone parcel 28-11-009- 029-10

Peninsula Township Planning & Zoning Department
13235 Center Road
Traverse City, MI 49686

APPLICATION FOR ZONING AMENDMENT TO REZONE PARCEL - INTRODUCTION
STAFF REPORT
Zoning Amendment #206, Rezoning Parcel ID 28-11-009-029-10
January 2, 2026 Planning Commission Special Meeting

1. Application

Applicant: Julie Tschirhart, AICP, Progressive Companies, on behalf of property owner
COLDOPEN ONE LLC

Applicant/Owner Address & Contact Information: COLDOPEN ONE LLC
5168 US-31 N, Mailbox 8, Williamsburg, MI 49690
(231) 645-4428

Proposal: Rezone Parcel ID # 28-11-009-209-10 from split-zoned R1-A Rural and Hillside
Residential/R-1C Suburban Residential to entirely R-1C Suburban Residential.

The parcel is currently split-zoned R-1A and R-1C. The applicant proposes to
rezone the portion of the property that is zoned R-1A to R-1C. The request is to
remove the split zoning of the subject parcel, resulting in a parcel that is fully
zoned R-1C.

Proposal Location: Center Road, Traverse City, MI 49686
Section 9, Peninsula Township
Parcel ID #: 28-11-009-209-10

Zoning District: R-1A Rural and Hillside Residential and R-1C Suburban Residential

Current Land Use: Vacant

Surrounding Land Use: Rural and Hillside Residential, Suburban Residential

Future Land Use: Suburban Residential, classified as residential use on less than 5 acres

2. Application Evaluation

2.1 Relationship to the Master Plan – The 2024 Future Land Use Map identifies the subject parcel future land use as Suburban Residential, classified as residential use on less than 5 acres. This is consistent with the rezoning request.

2.2 R-1A and R-1C Zoning District Intent and Land Uses – Below is an overview of the intent and purpose, land uses permitted by right, and special land uses permitted in both R-1A and R-1C zoning districts. The R-1C zoning district allows all land uses permitted in the R-1A and R-1B zoning districts. Land uses allowed in the R-1C district that are NOT allowed in the R-1A district are: two-family dwellings (allowed by right in R-1B); golf courses and country clubs (allowed by SUP in R-1B); and mobile home parks (allowed by SUP in R-1C).

R-1A Rural and Hillside Residential Intent and Land Uses

Intent and Purpose (Section 6.2.1): This section establishes the R-1A Rural and Hillside Residential District to set standards for the continued development of: (1) rural areas suited to very low-density residential development; (2) fragile hillside areas; and (3) interface areas between more intensive residential uses and agricultural land uses. This district includes existing low density residential developments as well as areas within which such development appears both likely and desirable.

Uses Permitted by Right (Section 6.2.2)

- Single-family dwellings
- Customary uses and structures (accessory buildings, guest houses, boat hoists and docks, decks and storage, rental of non-owner occupied dwelling)
- Public recreation
- Storage of trailer units
- Keeping of domestic pets
- General farming and horticultural uses
- Family day care homes and group day care homes

Uses Permitted Under Special Conditions (Section 6.2.3)

- Temporary buildings
- Home occupations

Uses Permitted by Special Use Permit (Section 6.2.4)

- Planned Unit Development
- Special Open Spaces
- Wind Energy Conversion Systems
- Mobile Homes in Residential Districts
- Bed and Breakfast Establishments
- Institutional Structures and uses

R-1C Suburban Residential Intent and Land Uses

Intent and Purpose (Section 6.5.1): This section establishes the R-1D Community Residential District to encourage moderately high-density development where community services such as fire protection, schools, commercial development, community parks and services are available.

Uses Permitted by Right or Under Special Conditions

- All uses permitted in the R-1A and R-1B zoning districts.

Section 6.5.3 Uses Permitted by Special Use Permit:

- All uses permitted in the R-1A and R-1B zoning districts, and,
- Mobile Home Park Developments

2.3 R-1A and R-1C Schedule of Regulations – Below is an overview of the dimensional requirements in the R-1A and R-1C zoning districts per Section 6.8 of the Zoning Ordinance. R-1C requires smaller lots in terms of size and width and greater lot coverage than R-1A.

District	Min Lot Size	Min Lot Width	Max Structure Height	Min Front Setback	Min Side Setback	Min Rear Setback	Min OHWM Setback	Max Lot Coverage	Min Width of Principal Structure
R-1A	1 acre	150'	38'	30'	15'	30'	60'	15%	24'
R-1C	20,000 sf	100'	38'	30'	15'	30'	60'	25%	24'

- 3. Staff Recommendation** – Based on the application details submitted and staff review, staff recommends the Planning Commission schedule a public hearing for the next Planning Commission meeting of February 5, 2026. Staff recommends the Planning Commission identify any initial questions, concerns, or additional details needed to support deliberation by the Planning Commission, so that the applicant and staff can respond with appropriate details in a timely and transparent fashion.



November 7, 2025

Elise Loud, Planner
Peninsula Township
13235 Center Road
Traverse City, MI 49686

Re: Parcel No. 11-009-029-10 Rezoning

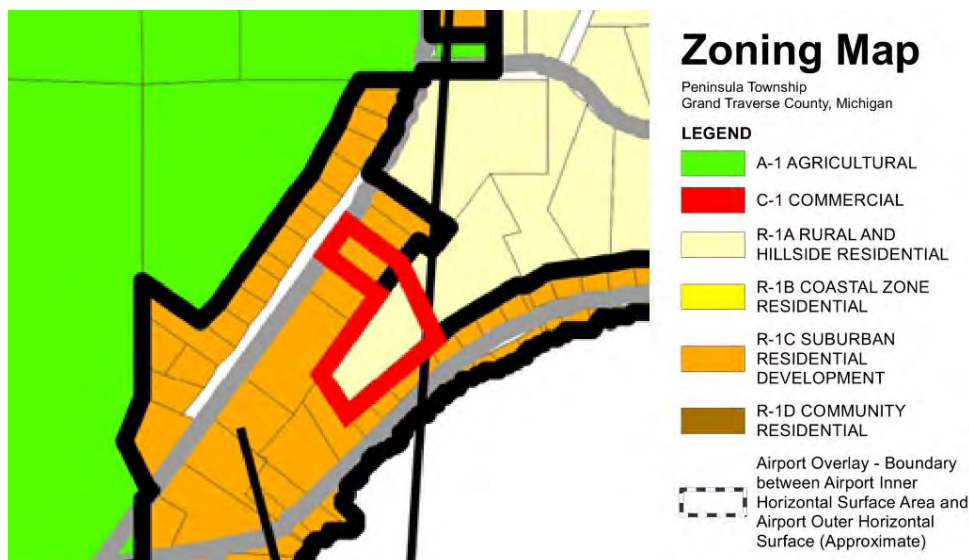
Dear Ms. Loud:

Please accept the attached application for the rezoning of a portion of parcel number 11-009-029-10, located in Peninsula Township. The property is currently owned by COLDPEN ONE LLC, located at 5168 US-31 N, Mailbox 8, Williamsburg, MI 49690. Progressive Companies is the planning representative for the applicant.

Existing Conditions

The subject parcel is located on the eastern side of Center Road between Bluff Road and Twin Eagles Drive. The parcel is a flag lot of approximately 3.32 acres with ~150 feet of frontage along Center Road and measuring ~441 feet along its rear property line.

The parcel is currently split zoned R-1C Suburban Residential District along Center Road for approximately ~0.84 acres of the property and R-1A Rural and Hillside Residential District for the remaining ~2.48 acres of the property. The subject parcel is surrounded by property zoned R-1C on the south, east, and west sides. It is adjacent to one parcel zoned R-1A, located to the northeast of the property. The excerpt from the Peninsula Township Zoning Map below shows the subject parcel outlined in red.

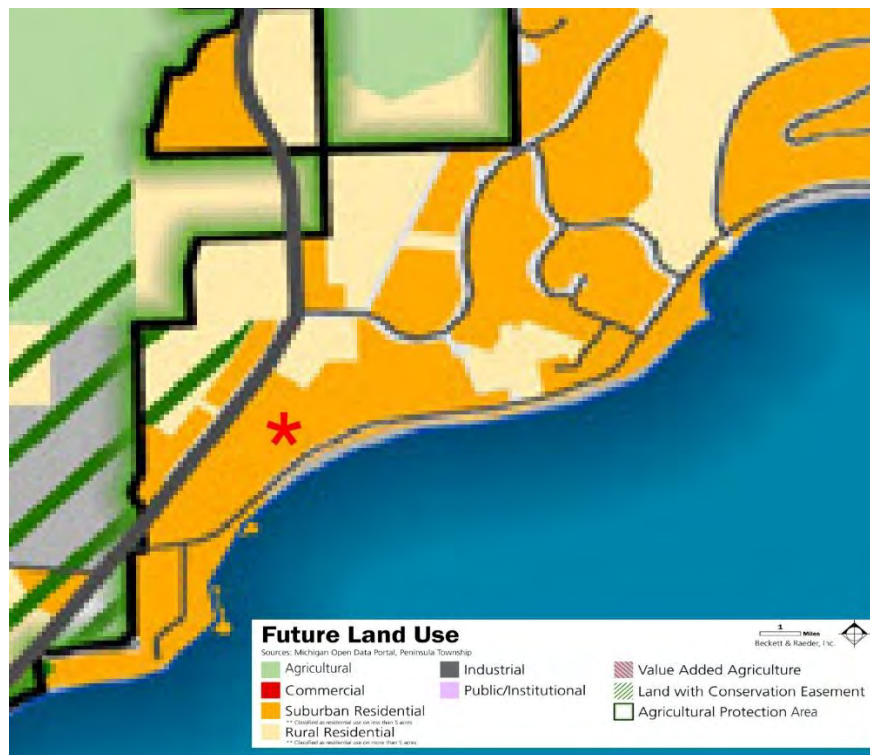


Proposed

The applicant proposes to rezone the portion of the property that is zoned R-1A Rural and Hillside Residential to R-1C Suburban Residential. The request is to remove the split zoning of the subject parcel, resulting in a parcel that is fully zoned R-1C. The current zoning configuration makes applying the Township’s code requirements difficult, particularly in conjunction with this parcel’s unique shape.

Master Plan Support

The proposed rezoning is consistent with the Future Land Use Map of the recently adopted 2024 Peninsula Township Master Plan, which designates the subject parcel as “Suburban Residential.” The Suburban Residential future land use category corresponds to the R1-B, R1-C, and R1-D zoning districts, which are generally low- to medium-density residential districts. Excerpts from the Master Plan are shown below, with the subject parcel starred in red.



Land Use	Related Zoning District	Percent
Agricultural- Land primarily used for production agriculture	A-1	37.2%
Commercial- Land primarily used for commercial uses	C-1	0.5%
Industrial- Land primarily used for industrial uses	Varies	0.1%
Suburban Residential- Land primarily used for residential uses on less than 5 acres	R1-B, R1-C, R1-D	17.4%
Rural Residential- Land primarily used for residential uses on more than 5 acres	A-1, R1-A	34.2%
Public / Institutional- Land primarily used for parks, library, fire stations, public buildings, etc.	Varies	10.6%
Total		100.0%

In addition to consistency with the Future Land Use Map, the proposed rezoning is aligned with the recommendations of the Master Plan to 1) support zoning district boundary adjustments where odd-shaped parcels are involved and 2) eliminate “dual zoned” properties. As the Master Plan states: “dual-zoned properties are generally avoided with good planning and zoning practices that reduce ambiguity and confusion over requirements” (Master Plan, p. 71). The proposed rezoning is a small step in achieving implementation of the Peninsula Township Master Plan.

Attachments

The following items have been included for your consideration:

- Rezoning Application Form
- Rezoning Exhibit
 - Showing existing zone district boundaries and proposed
 - Showing existing and neighboring land use
- Topographic Survey
- Copy of Deed

Nine sets of plans have been submitted in hardcopy in addition to electronic – eight 11x17” copies and one 24x36” copy plotted at 1”:50’.

If you have any questions, please do not hesitate to contact me via email at jtschirhart@weareprogressive.com or via phone at 616.323.2617.

Sincerely,



Julie Tschirhart, AICP
Planner
Progressive Companies

PENINSULA TOWNSHIP
APPLICATION FOR ZONING CHANGE No. _____

Application Fee _____ Check No. _____ Date: _____

PARCEL CODE NUMBER 28-11- 009-029-10

PROPERTY ADDRESS N/A

OWNERS NAME COLDOPEN ONE LLC

ADDRESS 5168 US-31 N. Mailbox 8 Williamsburg, MI 49690 231-645-4428

Presently zoned: R-1A & R-1C Proposed zoning: R-1C

A. PROPERTY INFORMATION REQUIRED

1. Legal description of the property.
2. Proof of ownership of the property.
3. Copies of deed restrictions (if any) which affect the use on the property, or statement that no deed restrictions exist.
4. Nine (9) copies of a plot plan drawn to scale of the property showing: a) both existing zone boundaries and those proposed; b) existing structures on the property; c) existing land use (state the use on the property and the use on adjacent properties); and d) roads serving and those adjacent to the property.

B. AFFIDAVIT: The undersigned affirms that they are the owner of the property, involved in this request for rezoning, and that the foregoing answers, statements and information herein submitted are in all respects true, and to the best of their knowledge, correct.

Signed _____ Date 09/25/2025

Address: 5168 US-31 N. Mailbox 8 Williamsburg, MI 49690

C: OFFICIAL ACTION

Township Planning Commission

Date of meeting when request was presented: _____

Date of determination of compliance with Comprehensive Plan: _____

Date of Planning Commission public hearing: _____ Dates of Public

Hearing Notice: (1) _____, (2) _____

Type of Action Taken: _____

County Planning Commission

Date of County Planning Commission Review: _____

Type of Action Taken: _____

Township Board

Date of Township Board Public Hearing: _____

Date of Public Hearing Notice: (1) _____, (2) _____

Type of Action Taken: _____

Parcel # 28-11-009-029-10 By RW
STATE OF MICHIGAN, County of Grand Traverse at Traverse City I hereby
certify that there are no Tax Liens or Titles held by the State of any individual against the within
description, and all taxes on same are paid for five years previous to the date of the
instrument as appears by the records in my office. This does not cover taxes in the process of
collections by Township, City or Village Grand Traverse County, Treasurer

GRAND TRAVERSE COUNTY
RECORDED
05/17/2013 2:26 PM PAGE 15 OF 28
PEGGY HAINES REGISTER OF DEEDS

05/17/2013
A. C. [Signature]

WARRANTY DEED

CHERI L. JULIEN, 420 Monroe Street, Traverse City, MI 49684,
Grantor, conveys and warrants to:

COLDPEN ONE, LLC, 9755 Montague Road, Traverse City, MI
49686, Grantee, the following premises situated in the
Township of Peninsula, County of Grand Traverse, State of
Michigan:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 28 North, Range 10
West, described as: Commencing at the West 1/4 corner of said Section 9, South along
the West Section line 260.7 feet; thence North 35deg03' East, along centerline of M-37,
1162.40 feet, to the Point of Beginning; thence North 35deg03' East, along said centerline,
150.00 feet; thence South 54deg57' East, 250.00 feet; thence South 35deg03' West,
150.00 feet; thence North 54deg57' West, 250.00 feet to the Point of Beginning.

ALSO, Commencing at the West 1/4 corner of said Section 9; thence South 01deg00'14"
East, 260.70 feet, along the West line of said Section 9; thence North 35deg03'00" East,
1412.40 feet, along the centerline of Highway M-37; thence South 54deg56'35" East,
250.00 feet (previously described as South 54deg57' East); thence South 34deg56'51"
West, 102.38 feet, to the Point of Beginning; thence South 25deg14'22" East, 308.86 feet;
thence South 51deg20'29" West, 154.87 feet (previously recorded as South 51deg27'
West), along the Northerly line the recorded plat of "Ridgewater Subdivision"; thence South
45deg07'49" West, 286.71 feet (previously recorded as South 46deg09' West, 286.48
feet), along said plat line; thence North 34deg06'01" West, 185.88 feet; thence North
34deg56'51" East, 517.86 feet (previously recorded as North 34'03' East), to the Point of
Beginning.

Valuation Affidavit filed.

Subject to easements, building and use restrictions and reservations of record, and further
subject to taxes and assessments not yet due and payable.

This property may be located within the vicinity of farmland or farm operations. Generally
accepted agricultural and management practices which may generate noise, dust, odors
and other associated conditions may be used and are protected by the Michigan Right to
Farm Act.

The Grantor grants to the Grantee the right to make all division(s) under section 108 of
the Land Division Act, Act No. 288 of the Public Acts of 1967. If no number is inserted, the
right to make divisions stays with the portion of the parent tract retained by the Grantor; if
all of the parent tract is conveyed, then all division rights are granted.

Dated this 16th day of May, 2013.

Signed by:

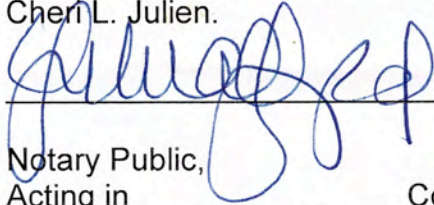
25 of 58

Cheri L. Julien
CHERI L. JULIEN

Warranty Deed
Julien/Coldpen
Page 2

STATE OF MICHIGAN)
) ss
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this 16th day of May, 2013, by
Cher L. Julien.



Notary Public, County, Michigan
Acting in County, Michigan
My commission expires:

SABRINA GAYLORD
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE
MY COMMISSION EXPIRES: MARCH 11, 2014
ACTING IN THE COUNTY OF GRAND TRAVERSE

When recorded return & send subsequent tax bills to:

Coldpen One, LLC

Drafted by: James M. Leibenguth
Attorney at Law
LEIBENGUTH, BOOS & ASSOCIATES, P.C.
3220 Racquet Club Drive
Traverse City, MI 49684
#26815

The drafter of this document has not examined title to the lands described and renders no opinion as to marketability of title or whether the conveyance complies with the Land Division Act, 1996, P.A. 591, as amended. Furthermore, the drafter renders no opinion as to those matters which have been excluded from the covenants of title as set out herein.

Tax Parcel # 28-11-009-029-10

Recording Fee:

Transfer Tax:

PARCEL INFORMATION:
PARCEL NO. 11-009-029-10
145,218 SF. / 3.32 ACRES (W/ ROAD R.O.W.)
140,262 SF. / 3.22 ACRES (W/O ROAD R.O.W.)

PRT OF THE SW 1/4 OF NW 1/4 OF SEC 9 T29N
R10W COM AT W 1/4 COR OF SD SEC 9, TH S
ALG SEC LN 260.7 FT, TH N 35 DEG 03'E
ALG C/L OF M-37 1162.40 FT TO POB, TH N
35 DEG 03'E 150 FT, TH S 54 DEG 57'E 250
FT, TH S 35 DEG 03'W 2.38 FT, TH S 25 DEG
14'E 308.86 FT, TH S 51 DEG 20'W 154.87 FT,
TH S 45 DEG 09'W 286.48 FT, TH N 34 DEG
01'W 185.88 FT, TH N 34 DEG 56'E 370.24 FT,
TH N 54 DEG 57'W 250 FT TO POB. SUBJ TO
R/W OF M-37 AND RESTRIC OF RECORD.

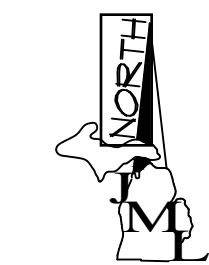
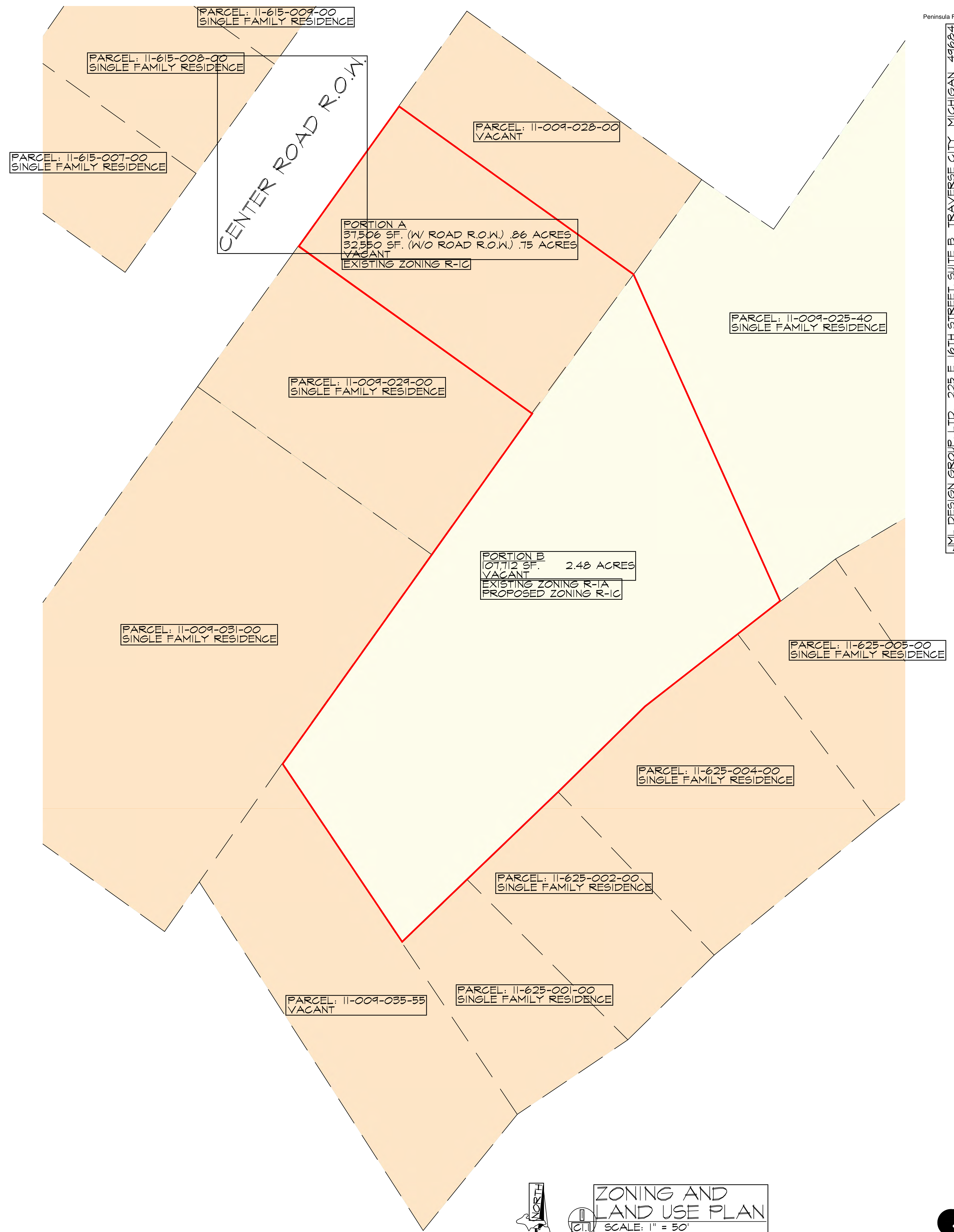
LEGEND



ZONED R-1C: SUBURBAN
RESIDENTIAL DEVELOPMENT



ZONED R-1A: RURAL AND
HILLSIDE RESIDENTIAL



ZONING AND
LAND USE PLAN
SCALE: 1" = 50'

JML DESIGN GROUP, LTD. 225 E. 16TH STREET, SUITE B TRAVERSE CITY MICHIGAN 49684

architect: C.F. CAMPBELL
scale: AS NOTED
drawn: CFC/MAS

revisions: 11/04/25 ISSUED FOR PLANNING
phone: (231) 947-4014
fax: (231) 947-8758

location: TRAVERSE CITY, MICHIGAN
client: GOLDPEN ONE, LLC

sheet title: ZONING PLAN
project name: BELLA VUE

0 preliminary
1 construction

date: 11/04/25
sheet: C-1

Item 10b

PUBLIC HEARING- Zoning Amendment #206 Shoreline Regulations



project memorandum

Date: 02.02.2026
From: Sara Kopriva, AICP
To: Peninsula Township Planning Commission
Project: Public Hearing- Zoning Amendment #206 Shoreline Regulations



Following the public hearing, if the Planning Commission is ready to make a decision on the amendment

Possible Motion: Motion to recommend approval/denial of zoning amendment #206 on shoreline regulations to the Township Board.

Included in the packet is the shoreline regulations that were discussed at the January 14, 2026 meeting. The redline edits provided are the changes made since the January 14 meeting. The Township legal team will be present at the meeting to answer the PC questions and make edits as requested.

The notice for the public hearing was published in the Traverse City Record- Eagle on January 21, 2026.

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

Petoskey Office
113 Howard Street
Petoskey, MI 49770

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

Grand Rapids Office
100 Cesar E. Chavez Ave
SW Suite 300
Grand Rapids, MI 49503

734.663.2622 ph
734.663.6759 fx

231.347.2523 ph
231.347.2524 fx

231.933.8400 ph
231.944.1709 fx

616.585.1295 ph

PENINSULA TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN

ZONING ORDINANCE AMENDMENT
ORDINANCE NO. _____

At a meeting of the Township Board of the Township of Peninsula, Grand Traverse County Michigan, held at the Township Hall on _____, 2026 at _____ p.m., Township Board Member _____ moved to adopt the following ordinance, which motion was seconded by Township Board Member _____.

An Ordinance to amend the Peninsula Township Zoning Ordinance to provide for the docks, boat hoists, and related structures along the shoreline of Grand Traverse Bay, as well as the amendment to the intent and purpose of the Great Lakes Shoreland Regulations, and the amendment to the regulations of Shared Waterfront Ownership.

PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

SECTION 1. FINDINGS. The Township of Peninsula (“Township”) finds that:

- a. The Township is currently completing a review of its Zoning Ordinance (“Zoning Ordinance”); the efforts to amend existing regulations to address current and evolving aspects of land use and development include the uses and definitions relating to the land and shoreline bordering Grand Traverse Bay. The Zoning Ordinance intends to exercise the Township’s power to regulate impacting the health, safety, and general welfare of the Township by regulating the use of land and structures within zoning districts to ensure that land uses are appropriately sited and compatible with surrounding uses.
- b. The Township seeks to amend its shoreline regulations to promote the health, safety, and welfare of the Township and its natural environment.
- c. The Township seeks to regulate the land, including inherent riparian rights, to protect the health, safety, and welfare of the public and to conserve the natural environment, its resources, and to ensure compatibility with surrounding land uses.
- d. The Township seeks to adopt regulations that allow for safe and effective land use along Grand Traverse Bay that protects and conserves the natural environment, its resources, and is compatible with surrounding land uses.
- e. By nature of the Township’s unique peninsular geography, the Township has a high amount of residential shoreline property, which presents the need to specifically regulate shoreline impacts and development to be consistent with overall planning goals and harmonious uses along the shoreline.

- f. Appropriate regulation of shared shoreline uses is necessary to prevent adverse land use effects such as incompatible and conflicting land uses, depletion of natural resources, nuisance impacts that affect neighboring properties, or other adverse impacts that could negatively impact the public health, safety, and welfare.
- g. Accordingly, the Township has retained consultants to review and to revise the shoreline land use regulations in the above-mentioned zoning districts to meet the needs of the Township.

SECTION 2. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add to Section 3.2 Definitions, the following:

- a. **Clubhouse.** A communal building or space used by a particular group or club that is primarily used for events and meetings.
- b. **Dock.** A seasonal structure extending along shore or out from the Shoreline into a body of water, to which boats may be moored.
- c. **Dock Patio.** An attached section of Dock that serves as an outdoor gathering space, often accommodated by seating and tables.
- d. **Hoist, Boat.** A mechanical device that is used to lift and move boats in and out of the water.
- e. **Hoist, Jet Ski.** A mechanical device that is used to lift and move jet skis in and out of the water. For the purposes of this Ordinance, two (2) Jet Ski Hoists are equal to one (1) Boat Hoist.
- f. **Shoreline.** The edge of a body of water, where the water and shore meet.
- g. **Swimming Platform.** An attached section of Dock that serves as a starting platform for swimmers to dive into the water and must include at least one (1) ladder to climb up the Dock from the water.

SECTION 3. AMENDMENT TO ZONING ORDINANCE. Subsection (c) Boat Hoists and Docks of Zoning Ordinance Section 6.2.2 Uses Permitted by Right (in R-1A Districts: Rural and Hillside Residential) is amended to read as follows in its entirety:

(c) Boat Hoists and Docks:

- 1) **Purpose and Intent.** The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral and/or riparian rights along Grand Traverse Bay. The Township wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land and

related littoral and/or riparian rights, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

2) **Approval.**

- a. No Township permit shall be required to install a Dock, but all Docks must meet the requirements of this Section
- b. When a Dock is located on property under Shared Waterfront Ownership, the standards of Section 7.4.2 shall also apply.

3) **Maximum Number.** No lot shall have more than one (1) Dock, except that Lots with a Shoreline width greater than 300 feet shall be permitted one (1) additional Dock.

4) **Point of Contact.** All Docks shall maintain only one (1) point of contact with the Shoreline.

5) **Width.** No Dock shall be greater than eight (8) feet wide, with the exception of Dock Patios and Swimming Platforms which shall be limited by the setback restrictions imposed in this Section.

6) **Offseason Storage.** For the health, safety, and general welfare of the Township citizens, and to ensure safe and effective land use along the Shoreline, all Docks, hoists, and related equipment shall be taken out of the water between November 1 and April 1. Offseason storage shall be subject to the following regulations:

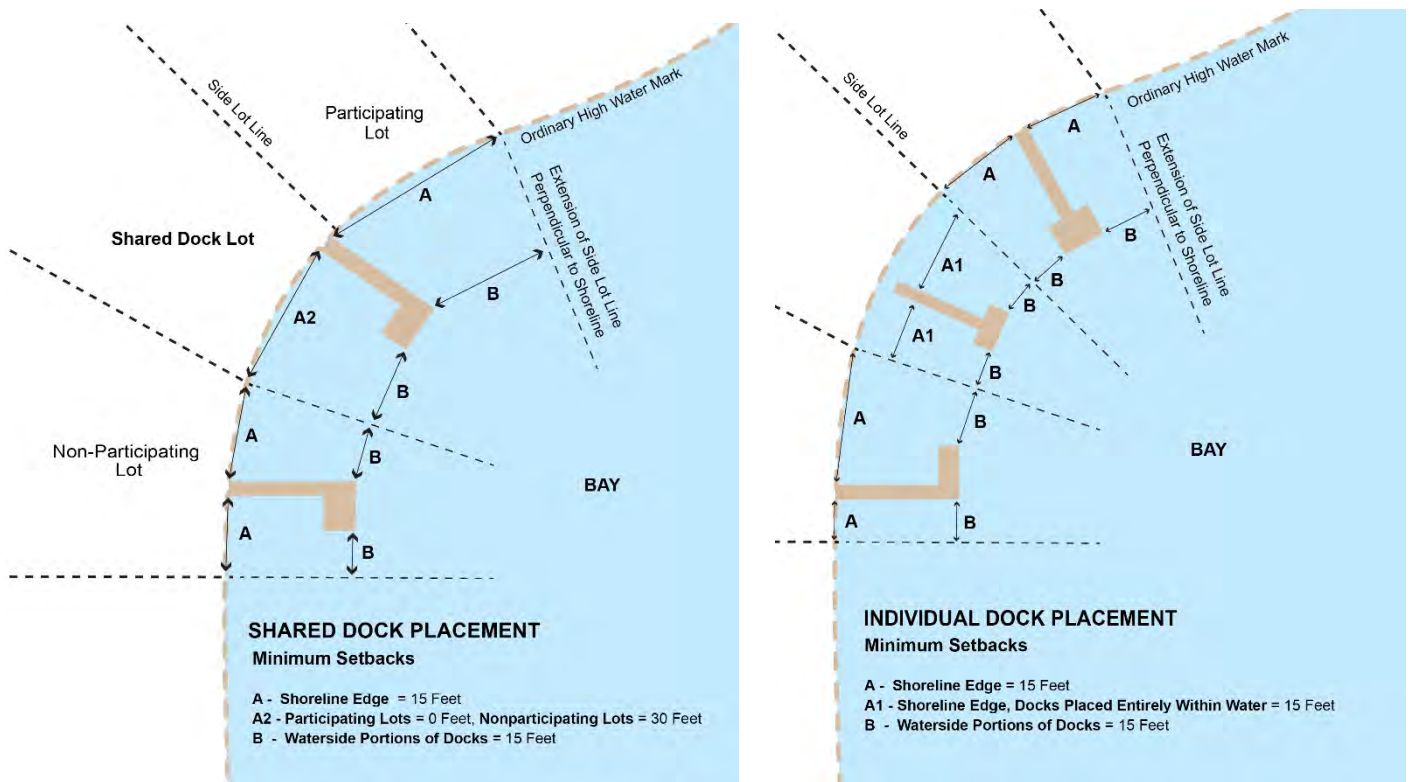
- a. All items must be stored within the lot lines of the Shoreline lot which the dock serves.
- b. All items to be stored must be at least four (4) feet from the Ordinary High-Water Mark or the Shoreline, whichever is farther away from the water.
- c. All Dock sections must be neatly stacked and all Boat and Jet Ski Hoists consolidated.
- d. Storage shall not be permitted within a road right-of-way.

7) **Dwellings and Clubhouses Prohibited.** No Dwelling Units or Clubhouses are allowed on any Dock.

8) **Dock Placement.** All Docks must comply with all applicable County, State, and Federal requirements, including, but not limited to the Army Corps of Engineers and the Michigan Department of Environment, Great Lakes, and Energy (EGLE), as well as the following:

- a. **Shoreside.** The shoreside edge of the Dock shall be placed at least 15 feet from the side lot line.

- i. **Non-Shared Docks.** No portion of a Dock, including but not limited to Dock Patios and Swimming Platforms, may be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point the side lot line hits the Ordinary High-Water Mark of Lake Michigan.
 - ii. **Shared Docks.** The side setback requirement applying to the lot line dividing the lots shall be waived for adjoining property owners placing a shared Dock. However, the setback requirement from lot lines abutting lots that are not included in the approval obtained by the zoning administrator shall be 30 feet. When the land itself (and not just the Dock) is under shared ownership, the requirements of Section 7.4.2. shall also apply.
 - iii. **Equipment.** All equipment associated with a Dock and stored on land shall be set back at least 15 feet from the side lot line.
- b. **Waterside.** For Docks placed entirely within the water that impact shore use or Docks connected to the shoreland outward, the Dock shall not be closer than 15 feet to a straight line extending perpendicular to the Shoreline from the point the side lot line hits the Ordinary High-Water Mark of Lake Michigan.



9) **Undeveloped Lots.** Waterfront lots without a principal building may contain a Dock and related equipment, provided that all requirements of this section are met.

10) **Dock Lighting.** All Dock lighting must be downward facing and fully shielded, and shall only be lit when the Dock is being actively used or the lighting is needed for safety. This paragraph also applies to any permanent dock.

11) **Hoists.** In order to reflect the findings of the Township in its resolutions of these Shoreline uses and structures, the number of Boat and Jet Ski Hoists per Dock shall be as follows:

- a. Non-Shared Docks may have no more than three (3) Boat Hoists.
- b. Shared Docks may have no more than six (6) Boat Hoists.
- c. Shared Waterfront Ownership Docks may have no more than three (3) Boat Hoists per 50 lineal feet of Shoreline, not to exceed three (3) Boat Hoists per family with ownership interest to the lot.

Two (2) Jet Ski Hoists are equivalent to one (1) Boat Hoist.

12) **Non-Commercial Use Only.** Docks, Boat Hoists, Jet Ski Hoists, and related equipment shall be for the personal use of the shoreline lot owner and their guests only. Such structures shall not be leased, rented, licensed, or used for any commercial purpose.

13) Administrative Appeals and Interpretations.

In the event that two adjacent properties cannot both comply with the Dock Placement standards of this Section at the same time, or in the event that compliance with such standards is unclear due to the unique circumstances of the property or properties, the property owners in question shall apply for a waiver of such standards to the Zoning Administrator who shall conduct a review that includes, but is not limited to, consideration of the following factors, (1) the hardships or expenses that may be incurred by either property for any prudent alternative Dock configuration or placement that would comply with this Section, (2) the safety risks or liabilities imposed on either property by providing for a waiver, and (3) the best interests of both properties and adjacent properties is maintained even if a waiver is granted, and (4) the spirit of this Section to protect the public health, safety, and general welfare of the persons and properties along Grand Traverse Bay is maintained. The Zoning Administrator may grant waivers from this Section in order to resolve a conflict but shall only do so when there are no conforming arrangements that would reasonably ensure safe enjoyment of the water for all parties involved. The Zoning Administrator shall conduct a meeting with the property owners, gather any additional requested information, and issue a timely decision in writing either denying the waiver request, granting the waiver request, or granting the waiver request with conditions. Such decisions are subject to a right of appeal to the Zoning Board of Appeals.

SECTION 4. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 6.7.2 Uses Permitted by Right (A-1 District: Agricultural):

18) Docks, Boat Hoists, Jet Ski Hoists and other related facilities shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, Boat Hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).

SECTION 5. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 7.4.1 Intent and Purpose (Great Lakes Shoreland Regulations):

The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral or riparian rights along Grand Traverse Bay. The Township's wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

SECTION 6. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add Section 7.4.2, Shared Waterfront Ownership, to state as follows:

Shared Waterfront Ownership properties shall meet the following requirements:

(1) **Intent:** It is further the intent of this section to reduce the conflicts that occur between residential single-family use and shared waterfront use by clearly delineating the regulations on shared Docks and other waterfront land uses on Shared Waterfront Ownership lots.

(2) **Minimum Shoreline Width Requirements:**

a.

No. of Property Owners with Ownership Rights	Minimum Lot Width for Dock
Two	100
Three	150
Four	200
Over Four	Additional Feet Per Family

(3) Docks, Boat Hoists, Jet Ski Hoists and other related facilities shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, boat hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).

(4) No dwelling units or clubhouses are allowed on shared waterfront lots.

(5) A portable toilet is allowed, provided it is not placed within a road right-of-way, and not closer than twenty (20) feet from the Shoreline. Fencing or screening landscaping shall be placed between the toilet and the nearest lot line, the road and the water.

SECTION 7. SEVERABILITY. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

SECTION 9. REPEAL AND FORM. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed. Further, the Township may use the content of this Ordinance and

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compile/insert it into the existing Peninsula Township Zoning Ordinance document including making any technical provision numbering or clerical revisions as necessary for the compilation.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Maura Sanders, Peninsula Township Supervisor

CERTIFICATION

I hereby certify that:

The above is a true copy of an Ordinance adopted by the Peninsula Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2026, pursuant to the required statutory procedures.

A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Peninsula Township, on _____, 2026.

Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.

I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on _____, 2026.

ATTESTED:

Rebecca Chown, Peninsula Township Clerk

PENINSULA TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN

ZONING ORDINANCE AMENDMENT
ORDINANCE NO. _____

At a meeting of the Township Board of the Township of Peninsula, Grand Traverse County Michigan, held at the Township Hall on _____, 2026 at _____ p.m., Township Board Member _____ moved to adopt the following ordinance, which motion was seconded by Township Board Member _____.

An Ordinance to amend the Peninsula Township Zoning Ordinance to provide for the docks, boat hoists, and related structures along the shoreline of Grand Traverse Bay, as well as the amendment to the intent and purpose of the Great Lakes Shoreland Regulations, and the amendment to the regulations of Shared Waterfront Ownership.

PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

SECTION 1. FINDINGS. The Township of Peninsula (“Township”) finds that:

- a. The Township is currently completing a review of its Zoning Ordinance (“Zoning Ordinance”); the efforts to amend existing regulations to address current and evolving aspects of land use and development include the uses and definitions relating to the land and shoreline bordering Grand Traverse Bay. The Zoning Ordinance intends to exercise the Township’s power to regulate impacting the health, safety, and general welfare of the Township by regulating the use of land and structures within zoning districts to ensure that land uses are appropriately sited and compatible with surrounding uses.
- b. The Township seeks to amend its shoreline regulations to promote the health, safety, and welfare of the Township and its natural environment.
- c. The Township seeks to regulate the land, including inherent riparian rights, to protect the health, safety, and welfare of the public and to conserve the natural environment, its resources, and to ensure compatibility with surrounding land uses.
- d. The Township seeks to adopt regulations that allow for safe and effective land use along Grand Traverse Bay that protects and conserves the natural environment, its resources, and is compatible with surrounding land uses.
- e. By nature of the Township’s unique peninsular geography, the Township has a high amount of residential shoreline property, which presents the need to specifically regulate shoreline impacts and development to be consistent with overall planning goals and harmonious uses along the shoreline.

- f. Appropriate regulation of shared shoreline uses is necessary to prevent adverse land use effects such as incompatible and conflicting land uses, depletion of natural resources, nuisance impacts that affect neighboring properties, or other adverse impacts that could negatively impact the public health, safety, and welfare.
- g. Accordingly, the Township has retained consultants to review and to revise the shoreline land use regulations in the above-mentioned zoning districts to meet the needs of the Township.

SECTION 2. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add to Section 3.2 Definitions, the following:

- a. **Clubhouse.** A communal building or space used by a particular group or club that is primarily used for events and meetings.
- b. **Dock.** A seasonal structure extending along shore or out from the Shoreline into a body of water, to which boats may be moored.
- c. **Dock Patio.** An attached section of Dock that serves as an outdoor gathering space, often accommodated by seating and tables.
- d. **Hoist, Boat.** A mechanical device that is used to lift and move boats in and out of the water.
- e. **Hoist, Jet Ski.** A mechanical device that is used to lift and move jet skis in and out of the water. For the purposes of this Ordinance, two (2) Jet Ski Hoists are equal to one (1) Boat Hoist.
- f. **Shoreline.** The edge of a body of water, where the water and shore meet.
- g. **Swimming Platform.** An attached section of Dock that serves as a starting platform for swimmers to dive into the water and must include at least one (1) ladder to climb up the Dock from the water.

SECTION 3. AMENDMENT TO ZONING ORDINANCE. Subsection (c) Boat Hoists and Docks of Zoning Ordinance Section 6.2.2 Uses Permitted by Right (in R-1A Districts: Rural and Hillside Residential) is amended to read as follows in its entirety:

(c) Boat Hoists and Docks:

- 1) **Purpose and Intent.** The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral and/or riparian rights along Grand Traverse Bay. The Township wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land and

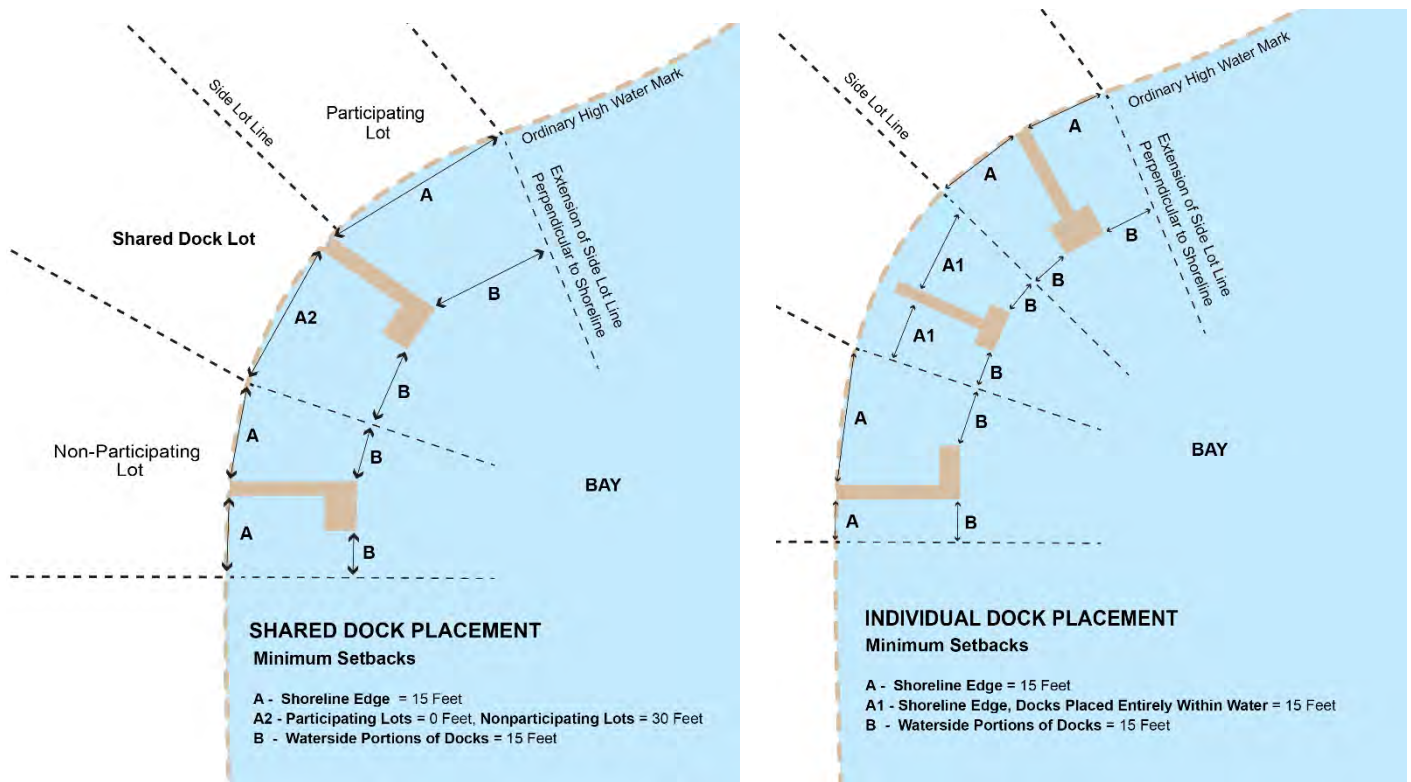
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related littoral and/or riparian rights, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

2) **Approval.**

- a. No Township permit shall be required to install a Dock ~~meeting, but all Docks must meet~~ the requirements of this Section.
 - b. When ~~the waterfront land in question~~ a Dock is ~~shared among two or more~~ located on property ~~owners (such as a general common element of a condominium), under Shared Waterfront Ownership,~~ the standards of Section 7.4.2 shall also apply.
- 3) **Maximum Number.** No lot shall have more than one (1) Dock, except that Lots with a Shoreline width greater than 300 feet shall be permitted one (1) additional Dock.
- 4) **Point of Contact.** All Docks shall maintain only one (1) point of contact with the Shoreline.
- 5) **Width.** No Dock shall be greater than eight (8) feet wide, with the exception of Dock Patios and Swimming Platforms which shall be limited by the setback restrictions imposed in this Section.
- 6) **Offseason Storage.** For the health, safety, and general welfare of the Township citizens, and to ensure safe and effective land use along the Shoreline, all Docks, hoists, and related equipment shall be taken out of the water between November 1 and April. ~~Storage out of the water~~ 1. Offseason storage shall be subject to the following regulations:
- a. All items must be stored within the lot lines of the Shoreline ~~parcel~~ lot which the dock serves.
 - b. All items to be stored must be at least four (4) feet from the Ordinary High-Water Mark or the Shoreline, whichever is farther away from the water.
 - c. All Dock sections must be neatly stacked and all Boat and Jet Ski Hoists consolidated.
 - d. Storage shall not be permitted within a road right-of-way.
- 7) **Dwellings and Clubhouses Prohibited.** No ~~dwelling units~~ Dwelling Units or ~~clubhouses~~ Clubhouses are allowed on any Dock.
- 8) **Dock Placement.** All Docks must comply with all applicable County, State, and Federal requirements, including, but not limited to the Army Corps of Engineers and the Michigan Department of Environment, Great Lakes, and Energy (EGLE), as well as the following:
- a. **Shoreside.** The shoreside edge of the Dock shall be placed at least 15 feet from the side lot line.

- i. **Non-Shared Docks.** No portion of a Dock, including but not limited to Dock Patios and Swimming Platforms, may be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point the side lot line hits the Ordinary High-Water Mark of Lake Michigan.
 - ii. **Shared Docks.** The side setback requirement applying to the lot line dividing the lots shall be waived for adjoining property owners placing a shared Dock. However, the setback requirement from lot lines abutting lots that are not included in the approval obtained by the zoning administrator shall be 30 feet. When the land itself (and not just the Dock) is under shared ownership, the requirements of Section 7.4.2. shall also apply.
 - iii. **Equipment.** All equipment associated with a Dock and stored on land shall be set back at least 15 feet from the side lot line.
- b. **Waterside.** For Docks placed entirely within the water that impact shore use or Docks connected to the shoreland outward, the Dock shall not be closer than 15 feet to a straight line extending perpendicular to the Shoreline from the point the side lot line hits the Ordinary High-Water Mark of Lake Michigan.



9) **Undeveloped Lots.** Waterfront lots without a principal building may contain a Dock and related equipment, provided that all requirements of this section are met.

10) **Dock Lighting.** All Dock lighting must be downward facing and fully shielded, and shall only be lit when the Dock is being actively used and/or the lighting is needed for safety. This paragraph also applies to any permanent dock.

11) **Hoists.** In order to reflect the findings of the Township in its resolutions of these Shoreline uses and structures, the number of Boat and Jet Ski Hoists per Dock shall be as follows:

- a. Non-Shared Docks may have no more than three (3) Boat Hoists-are permitted.
- b. Shared Docks may have no more than six (6) Boat Hoists.
- c. Shared Waterfront Ownership Docks may have no more than three (3) Boat Hoists per 50 lineal feet of Shoreline-, not to exceed three (3) Boat Hoists per family with ownership interest to the lot.

Two (2) Jet Ski Hoists are equivalent to one (1) Boat Hoist.

12) **Non-Commercial Use Only.** Docks, Boat Hoists, Jet Ski Hoists, and related shoreline structures/equipment shall be for the personal use of the shoreline parcel/lot owner and their guests only. Such structures shall not be leased, rented, licensed, or used for any commercial purpose.

~~12)~~13) **Administrative Appeals and Interpretations.** *(see proposal language below)*

~~PROPOSAL ONE~~—In the event that two adjacent properties cannot both comply with the Dock Placement standards of this Section at the same time, or in the event that compliance with such standards is unclear due to the unique circumstances of the property or properties, the property owners in question shall apply for a waiver of such standards to the Zoning Administrator who shall conduct a review that includes, but is not limited to, consideration of the following factors, (1) the hardships or expenses that may be incurred by either property for any prudent alternative Dock configuration or placement that would comply with this Section, (2) the safety risks or liabilities imposed on either property by providing for a waiver, and (3) the best interests of both properties and adjacent properties is maintained even if a waiver is granted, and (4) the spirit of this Section to protect the public health, safety, and general welfare of the persons and properties along Grand Traverse Bay is maintained. The Zoning Administrator may grant waivers from this Section in order to resolve a conflict but shall only do so when there are no conforming arrangements that would reasonably ensure safe enjoyment of the water for all parties involved. ~~Such waivers are subject to a right of appeal to the Zoning Board of Appeals.~~

~~PROPOSAL TWO~~—~~In the event that two adjacent properties cannot both comply with the Dock Placement standards of this Section at the same time, or in the event that compliance with such standards is unclear due to the unique circumstances of the property or properties, either or both of the property owners may request a waiver from the zoning administrator of such standards based on the same criteria for issuance of a variance under the Ordinance.~~ The Zoning Administrator shall conduct a meeting with the property owners, gather any additional requested information, and issue a timely decision in writing either denying the waiver request, granting the waiver request, or granting the waiver request with conditions. Such ~~waivers~~decisions are subject to a right of appeal ~~by either or both property owners~~ to the Zoning Board of Appeals.

SECTION 4. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 6.7.2 Uses Permitted by Right (A-1 District: Agricultural):

- 18) ~~Group docking~~Docks, Boat Hoists, Jet Ski Hoists and other related facilities shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, ~~boat hoists~~Boat Hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).

SECTION 5. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 7.4.1 Intent and Purpose (Great Lakes Shoreland Regulations):

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The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral or riparian rights along Grand Traverse Bay. The Township's wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

SECTION 6. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add Section 7.4.2, Shared Waterfront Ownership, to state as follows:

~~Any waterfront land that is to be used by more than one property owner~~Shared Waterfront Ownership properties shall meet the following requirements:

(1) **Intent:** It is further the intent of this section to reduce the conflicts that occur between residential single-family use and shared waterfront use by clearly delineating the regulations on shared Docks and other waterfront land uses on ~~General Common Elements of condominiums or otherwise shared between property owners~~Shared Waterfront Ownership lots.

~~a. **Approval for Shared Docks:** Where more than one property owner has Shared Waterfront Ownership, as defined in this Ordinance and exclusive of a shared dock by two adjacent properties or single property owner seeking dock placement addressed in Section 6.2.2(c), in the waterfront property, no Dock shall be placed closer than three feet to an adjacent lot line without both owners providing approval in writing to the zoning administrator. Such approval shall include a statement that the Dock shall be maintained in good condition, and such maintenance shall be the responsibility of the owner of the lot upon which the Dock is constructed. The approval between the owners shall be in the form of a recordable agreement, which shall be recorded with the Grand Traverse County Register of Deeds after approval by the zoning administrator. A copy of the recorded agreement shall be submitted to the township prior to the issuance of the approval.~~

~~(2) The Zoning Administrator shall be notified of any change in ownership or access to the shared waterfront lot.~~

~~(3)~~(2) **Minimum Lot Widths and Vehicle Parking Space**Shoreline Width Requirements:

a.

No. of Property Owners with <u>Access</u> Ownership Rights	Minimum Lot Width <u>for</u> Dock
Two	100
Three	150
Four	200
Over Four	Five Additional Feet Per Family

~~b. One parking space for each Boat Hoist shall be provided off the traveled portion of the road such that all portions of a parked vehicle are at least five (5) feet from the driving lane to provide safe egress from the vehicle.~~

~~c. Each parking space shall be a minimum of twenty three (23) feet in length. The parking space does not have to be paved or graveled.~~

~~Group docking~~

~~(4)(3) Docks, Boat Hoists, Jet Ski Hoists and other related facilities shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, boat hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).~~

~~(5)(4) No dwelling units or clubhouses are allowed on shared waterfront lots.~~

~~(6)(5) A portable toilet is allowed, provided it is not placed within a road right-of-way, and not closer than twenty (20) feet from the water's shoreline. Also provided that fencing Shoreline. Fencing or screening landscaping shall be placed between the toilet and the nearest property lot line, the road and the water.~~

SECTION 7. SEVERABILITY. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

SECTION 9. REPEAL AND FORM. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed. Further, the Township may use the content of this Ordinance and compile/insert it into the existing Peninsula Township Zoning Ordinance document including making any technical provision numbering or clerical revisions as necessary for the compilation.

YEAS: _____

Feb 2026 Draft

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Maura Sanders, Peninsula Township Supervisor

Feb 2026 Draft

CERTIFICATION

I hereby certify that:

The above is a true copy of an Ordinance adopted by the Peninsula Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2026, pursuant to the required statutory procedures.

A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Peninsula Township, on _____, 2026.

Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.

I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on _____, 2026.

ATTESTED:

Rebecca Chown, Peninsula Township Clerk

Communications

Planning & Zoning Administrator

From: Dawn Gmail <dawnmitzner14@gmail.com>
Sent: Thursday, January 22, 2026 6:13 PM
To: Planning & Zoning Administrator
Cc: John Mitzner; Dawn Mitzner
Subject: Boat Hoists

Dear Ms. Kopriva and Zoning Commission Members:

We belong to the Wrightwood Terrace HOA and would like to advise that we support the proposition to allow 3 boat hoists for every 50 feet of shoreline. We believe this will allow us and our neighbors to enjoy the wonderful outdoor/water activities that are abundant in OMP, while maintaining strong property values. Failure to do so will negatively impact all of us.

Thank you for your consideration of our views. If you would like to contact us directly, please do not hesitate to respond to this email.

Very truly yours,

John and Dawn Mitzner
16674 Whispering Pines Trail
Traverse City, MI 49686

Sent from my iPad

Planner

From: Marc Gall <mrg0557@gmail.com>
Sent: Monday, February 2, 2026 10:21 AM
To: Planner
Subject: Public Comment on Proposed Shoreline Ordinance Amendment 206

Sara, please forward this letter to all members of the Planning Commission and include it in the February 5th meeting packet. Thank You - Marc Gall

Dear Members of the Peninsula Township Planning Commission,

Thank you for the opportunity to provide public comment on the proposed Shoreline Ordinance Amendment No. 206, dated January 19, 2026. I would like to recognize and thank the Planning Commission for the time and effort devoted to the review of this ordinance and for your continued work on shoreline protection issues within Peninsula Township.

I support moving forward with the proposed allowance of three (3) boat hoists per fifty (50) feet of shared shoreline frontage. This standard reflects existing conditions throughout the Township, is consistent with the findings of the Shoreline Subcommittee, and should not result in a significant increase in the overall number of boat hoists.

With respect to offseason storage, I would like to raise concerns regarding the language on page 3 of the proposed amendment requiring storage above the Ordinary High-Water Mark. The Ordinary High-Water Mark is difficult to clearly identify in the field and is often substantially higher than the current waterline. As a result, this requirement could necessitate storing hoists much higher on embankments. In our homeowners association, compliance with this standard would likely require the removal of established trees, which is inconsistent with the ordinance's environmental objectives.

As an alternative, I respectfully suggest revising Section 3, 6.b. Offseason Storage to read as follows:
"All items to be stored must be at least four (4) feet from the shoreline and as close to the embankment as practical."

This language would continue to meet the Township's goals related to health, safety, and general welfare, while providing a clear, practical, and enforceable standard.

Lastly, I request clarification regarding Section 6, Item 2 on page 7, Minimum Shoreline Width Requirements. The chart included in this section is difficult to interpret and reads as limiting dock privileges for certain property owners. It also appears to conflict with the proposed allowance of three (3) boat hoists per fifty (50) feet of shared shoreline frontage. Clarification or removal of this chart would help avoid confusion and unintended interpretation.

Thank you again for your service and consideration of these comments.

Respectfully submitted,

Marc Gall
2366 Harbor Reach Dr
Traverse City, MI 49686

January 24, 2026

To: Kevin Beard and Sara Kopriva

Cc: Maura Sanders, Becky Chown

Re: Proposed Modifications to the Storage Regulations in Section 6.2.2

Regarding the proposed modifications to the shoreline regulations zoning ordinance discuss at the 1/14/26 meeting, I was surprised to learn of the proposed modifications to the storage amendments of SECTION 3. AMENDMENT TO ZONING ORDINANCE.

Subsection (c) Boat Hoists and Docks of Zoning Ordinance Section 6.2.2 item Uses Permitted by Right (b) that states regarding the storage of docks that “all items to be stored must be at least four (4) feet from the Shoreline” was suggested to be changed to “all items to be stored must be at least four (4) feet from the “ordinary high water mark” (OHWM). This is problematic in many ways; I will summarize the impact of this proposed change:

First regarding the original “all items to be stored must be at least four (4) feet from the Shoreline”, with the shoreline defined as where the water meets the beach. (This location is clearly identifiable but does vary with water levels that change from time to time.

Pros:

- The consolidation of docks and hoists (items) as defined has minimal impact on the beach and surrounding environment.
- Beach storage keeps items mostly out of sight from inland resident and roadway views.
- The items are normally safe from possible winter hazards of snow and ice encroachment while offering property owners and guests unfettered access to the length of the shoreline.
- Consolidation of items leaves about 50% of the beach area open from the scarp (embankment) to the water’s edge for the use of residents during the winter months.
- Seasonal installation and haul out is simplified, minimizing wear and tear on the items and movement is confined to the beach, off the scarp and away from roadways minimizing possible safety concerns.

Cons:

- Some items (mainly hosts) could be left within the minimum four-foot shoreline requirement but far out and visible during low water situations.
- In some extreme winter weather and/or higher water level situations, items could be damaged by ice encroachment.

Next regarding the newly proposed language that “all items to be stored must be at least four (4) feet from the “OHWM”. The current OHWM for Lake Michigan is often cited as 581.5 feet of lake water elevation above sea level, but it is difficult to locate where this imaginary water level meets the shore in practice. Each parcel has a unique landform, slope and elevation, but often this level is close to or partway up the scarp from the beach.

Pros:

- This regulation could often require storing items off the shoreline/beach area providing a larger beach space for resident enjoyment from November – April.

Cons:

- In many cases, most if not all items will need to be stored on the upland scarp (often with steep grades) which could damage native grasses, bushes and trees essential to mitigating future shoreline erosion.
- Property owners may be compelled to clearcut portions of scarp bushes and trees to provide the required storage space further impacting erosion protections.
- Avoiding the scarp by moving further upland will often put items near the roadway easement creating a road use safety hazard for those shoreline parcels with roadways close to shore. (e.g. Peninsula Drive, Center and Bluff Road)
- The storage of items either on the scarp or higher will create greatly increased visibility of the items from the users of the roadway and more importantly the property owners who live on or near the parcel.

Given these points, it is hard to understand how this change provides a positive impact on the stated goal “to promote the health, safety, and welfare of the Township and its natural environment. “ It frankly seems to do just the opposite.

However, a modification to the existing regulation language that “all items to be stored must be at least four (4) feet from the shoreline and as close to the scarp/embankment as practical” can provide a positive impact on both “con” points mentioned earlier and be practical to follow given a clear shoreline reference. Please consider this improvement in the language as we all strive to implement responsible and fair regulations for the future.

Respectfully Submitted,

Quaker Valley North Association

Kip Nickel, President

Home Address: 1015 Quaker Valley Drive, Traverse City, MI 49686

To: Peninsula Township Planning Commission and Board of Trustees January 26, 2026

Up until its January 14, 2026, meeting, the Planning Commission had concurred with the conclusion of the SRSG that single and shared waterfront owners should be allowed to continue to seasonally store their docks and hoists on the beaches, so long as they are positioned no closer than four feet above the waterline and not within the highway right-of-way. That guideline has been adhered to by most single and shared waterfront owners for decades. However, during the January 14 meeting, a commissioner declared that all seasonal hoists should here-to-for be stored 4 feet above the OHWM whenever the OHWM is further onshore than the then current waterline (which is almost always).

Adoption of this proposal would most certainly cause public safety risks and shoreline ecological and erosion damage, as well as other adverse consequences in many circumstances, such the following:

- Along many stretches of our shoreline, level sandy spaces exist above the 4-foot waterline setback (and below the OHWM) to accommodate the seasonal storage of hoists without disturbing natural foliage and ecologically sensitive areas which exists further onshore and on sloping highway embankments. Arbitrarily requiring shoreline owners to now relocate their hoists to areas 4 feet above the OHWM would, in many instances, cause ecological damage and increase the potential for erosion in these shoreline areas. Moreover, shoreline owners would be forced to risk storing their hoists upon sloping and less stable ground areas closer to the highway right-of-way.
- In many shoreline areas, stands of trees and other foliage exists between the highway and sandy areas above the 4-foot waterline set-back. Shoreline owners often store their hoists in those sandy areas where their hoists are visually screened from the highway and homes across the highway by that foliage. Requiring hoists to be stored more than 4 feet above the OHWM would, in many instances, force shoreline owners to remove natural foliage and/or store their hoists in other areas where those hoists would not be visually screened from the highway and homes across the highway.
- Along many, if not most shoreline areas, sufficient space exists between the 4-foot waterline setback and the highway right-of-way to accommodate the seasonal storage of shoreline owners' hoists. In many such areas, however, there is not sufficient space between the OHWM and the highway right-of-way to store their hoists without encroaching upon the highway right-of-way. The proposed regulation would force owners, in these circumstances, to semiannually relocate their hoists away from the water side of the highway in the Fall and then return them to the waterside in the Spring. Doing so would cause public safety issues and most certainly cause ecological and erosion damage to the shoreline areas above and below the highway right-of-way boundary.

During its deliberations, the SRSG considered these and other potential hoist storage scenarios prior to concluding that adopting a simple 4-foot waterline set-back provision will optimally resolve this dock and hoist storage issue. I respectfully urge the PC to fully consider the adverse consequences of adopting this flawed regulation amendment proposal and to not endorse it for adoption.

George Weber, Peninsula Township resident

16 January 2026

Peninsula Township Planning Board,

My name is Diane McCarthy and live at 1352 Chimney Ridge Drive. I attended the Special Meeting held on Wednesday, 14 January 2026 in regards to the Shoreline Ordinance. I too love the natural beauty of the shoreline and want to preserve this beauty for generations to come.

I do have one issue for your consideration in this Ordinance. It is in regards to the storage of Hoists, Docks, equipment, etc. The Draft document in Section 3, Paragraph 6, lines b and d state the storage placement for these items shall be 4 feet from the shoreline (6b) and not within the road right of way (6d).

During the meeting one of the members urged changing the 4 feet from the shoreline requirement to the high-water mark. This change will cause issues for many boat owners because the high-water mark is very high as witnessed a few years ago and the road right of way is 33 feet from the road centerline. This leaves very little and in some cases no room to store equipment. This requirement will also force some residents to move the storage placement closer to the road (with a larger expense for movement) and on top of vegetation which is critical to reducing beach erosion and the preservation of wildlife.

I believe the intent of changing the requirement to the high-water mark was for visual beauty by not having hoists stored too far out into the shoreline. Not to say this issue has not occurred, but I have lived in Peninsula Township since 2012 and have never witnessed this scenario so I believe it is very rare. The impacts to this change would be a hardship on some residents and could harm the environment. I urge you to leave the requirement to 4 feet from the shoreline.

Thank you for your consideration on this matter and I will try to attend the next meeting.

Diane McCarthy

Planning & Zoning Administrator

From: Dennis Remer <dennisremer13@gmail.com>
Sent: Thursday, January 15, 2026 10:09 AM
To: Planning & Zoning Administrator
Cc: Maura Sanders
Subject: Shoreline

I have been watching the current planning commission discussion regarding dock and hoist zoning. I find it interesting that the last two shoreline committees recommended 3-4 lifts per 50 feet. The most recent survey indicated a dissatisfaction with the current direction of the township and yet here we go with discussion by some members of the P.C. supporting a backwards approach to this zoning. The zoning approach and attempted enforcement in the past has been contested both via verbal and legal measures. The peninsula is changing, boating and shoreline use is a big part of the desire to live here. We have recently had 5 homes in our association change hands. All the new owners requesting boating access. The Army Corp of Engineers has issued some permits here in the past lets incorporate that process as partner in this process. Please circulate this request to the current P.C board members
Dennis Remer
16697 Whispering Pines Trl