

Peninsula Township
Planning Commission Special Meeting
Shaina LaFond, Recording Secretary

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI
49686 www.peninsulatownship.com

Planning Commission Special Meeting February 5, 2026, 7:00 p.m. Township Hall Minutes

1. **Call to Order by Beard at 7:00 p.m.**
2. **Pledge**
3. **Roll Call – Present:** Alexander, Beard, Eckstein, Hall, Hornberger, Shanafelt, Shipman; Township Planner of Record - Sara Kopriva; **Virtual:** Chris Patterson, 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): none offered**
6. **Communications: none beyond packet inclusions**
7. **Conflict of Interest: none declared**
8. **Approve Meeting Minutes**

- a. **Approval of Meeting Minutes: January 5, 2026 & January 14, 2026**

Shipman identifies minor typographical errors in both sets of minutes as well as improper adjournment time.

Motion by Shanafelt to approve minutes as amended, seconded by Shipman.

Motion Passes

9. **Planner Report**

Kopriva states she has assumed planning responsibilities and continues zoning administration duties. One new application for a shed at St. Joseph's Church will appear on the March agenda at the applicant's request. No zoning ordinance rewrite updates available. Notes were not transferred during the staffing transition and no revisions have been made. Meeting with McKenna scheduled to restart the process and develop a work plan. Rewrite Committee reconvenes the first Tuesday in March at 1:00 p.m., open to the public and streamed on YouTube. A special meeting may be considered to continue rewrite discussions if agendas remain full. No questions raised.

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

Discussion references prior materials and confirms receipt of a letter from the applicant offering voluntary conditions. State law permits conditional rezonings when conditions are offered by the applicant. Any additional conditions would require public hearing. Clarification provided that conditional rezoning is a rezoning with recorded, voluntary conditions binding in perpetuity unless amended. Conditions offered include limiting development to no more than five parcels and protecting all areas of 20% slope or greater from disturbance, except for a wooden stairway to the water. Conditions would be recorded against all affected parcels.

Suzanne Schulz, AICP, of Progressive Companies presents the request, explaining the existing split zoning, total acreage, consistency with surrounding R1C zoning and the Future Land Use Map (Suburban Residential), and

alignment with Master Plan guidance discouraging dual-zoned properties. Conceptual plans illustrate five lots served by a private road, no new curb cut on Center Road, and limited shared waterfront access consistent with ordinance frontage requirements. PC addresses waterfront access limitations, land division process, enforcement of slope protection, potential need for topographic verification, septic approval requirements, and mechanisms for ensuring compliance with recorded conditions. Staff indicates further clarification and draft agreement language will be provided prior to public hearing.

Motion by Hornberger to schedule a public hearing for Zoning Amendment #206 at the next regular meeting of the PC on March 5, 2026, seconded by Alexander. **Motion Passes**

b. PUBLIC HEARING - Zoning Amendment #206 Shoreline Regulations

Discussion: PC is joined by legal counsel. **Kopriva** delivers summary regarding ongoing work on the draft ordinance, noting revisions made following the January 14 meeting. Both clean and redline versions are included in the packet. Remaining discussion centers on shared waterfront calculations, including allowable hoists based on shoreline frontage. A reference spreadsheet outlining frontage, calculated allowances, and existing conditions is circulated for review. Next procedural steps are outlined. Following PC recommendation, the amendment will proceed to the Township Board for introduction and its own public hearing. The Board has tentatively placed the item on its upcoming agenda in anticipation of possible action, with a target effective date of April 1 to align with the spring dock season. Substantive revisions may affect timing. Clarification is provided regarding frontage calculations under current code and distinctions between platted, condominium, SUP, and non-platted properties.

Beard explains public hearing procedure, indicating formal motions to open and close are not required. The public hearing on Zoning Amendment No. 206 is declared open and testimony is invited.

Jim Raphael, 14826 Mallard Dr: References letter included in the packet. Comment centers on clarification of terminology within the draft shoreline regulations, particularly definitions related to shared waterfront ownership docks, shared docks, subdivisions, condominiums, and PUDs. Concern is expressed that HOA-owned waterfront property, held in single ownership rather than shared fractional ownership, may not clearly fall within the proposed categories. Clarification is requested as to whether such developments are intended to be regulated under the provision allowing up to three hoists per 50 feet of frontage, or under the shared dock provision limiting hoists to six. Additional concern is raised regarding ambiguity in the definition of "shared dock," including situations where a waterfront owner allows access to off-water properties. Request is made to include clear definitions within the ordinance to avoid future enforcement disputes.

Anne Anderson, 10985 Trillium Ct: Expresses concern that shared waterfront communities are being characterized negatively. Shared developments are described as residential communities, not marinas, and allow for resident financial accessibility and/or safety concerns. Support is expressed for development of a clear process to resolve shoreline conflicts. Concern is raised about potential overregulation, specifically the proposed change from measuring four feet above the shoreline to four feet above the high water mark. Practical and environmental concerns are noted, including potential survey requirements, placement of hoists on unstable scarps, and impacts to previously stabilized shoreline areas. Urges flexibility and practical enforcement standards to avoid unnecessary regulatory burden.

Sally Erickson, 2228 Kaukauna Ct: emphasizes shoreline safety and consideration of all bay users. A photograph is submitted illustrating a dock configured in a "snake" style that requires boats to pass through adjacent frontage. Concern is raised regarding dock placement extending near property lines and impacts on neighboring frontage. Request is made that shared frontage docks be centered within their linear frontage rather than placed near edges. Reference is made to Port of Old Mission approval in 2001 specifying allowable frontage, number of families, boats, and parking requirements, and a request is made that previously approved entitlements for other neighborhoods with shared frontage be compiled and reviewed as part of the ordinance analysis.

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Additional request is made to further limit the number of hoists, suggesting a lower baseline with incremental increases tied to frontage. Reiterates safety and long-term shoreline stewardship as primary considerations.

Scott Conaway, 11630 Snowfield Ct: President of Old Mission Estates HOA. Comment acknowledges the Commission's work and overall support for the draft ordinance, with concern focused on the proposed requirement to measure four feet above the high-water mark. Asserts that in this area, the ordinary high-water mark has not been reached in recent years, which would require seasonal removal and relocation of boat lifts across Peninsula Drive. Practical enforcement concerns are raised, including determining the high-water mark and monitoring compliance. Safety concerns are emphasized regarding transporting and staging large lifts across a heavily traveled road twice per year, as well as traffic control challenges. Aesthetic impacts are also noted if lifts and docks must be stored on upland common areas visible from the roadway. Comment urges reconsideration of the high-water mark standard due to safety and logistical burdens.

Dirk Mammen, 10878 Wood View Terrace: expresses general support ~~is expressed~~ for the draft ordinance, with concern focused on the requirement that hoists be placed four feet above the high-water mark. Comment requests flexibility in that standard, noting that strict application may require removal of trees, disturbance of stabilized slopes, and increased erosion risk. Says most boat owners already place hoists as far upland as practical to protect from ice damage, and that requiring placement above the high-water mark could create greater visual impacts along the roadway. Reference is made to local shoreline stewardship efforts, native plantings, and environmental considerations. Suggestion is made to include language allowing practical or reasonable placement to address site-specific conditions.

No further public comment is offered.

Public hearing is closed and the matter returns to the PC for deliberation, with legal counsel present to capture proposed edits. Beard asks Commissioner Hall to lead the discussion. Page-by-page review begins using the redline draft; a wording correction is identified in the intent statement ("regulate impacting..."). Discussion addresses regulating unattached swimming platforms/"rafts" and freestanding hoists, with consensus to define and subject these items to shoreline placement/setback rules, with drafting delegated to counsel. Beard notes that these requested edits and the offseason storage issue prevent PC action this evening and require a revised draft for later decision. Additional edits include capitalization consistency, clarifying "point of contact" to "point of access" with the shoreline, and revising offseason storage language by removing "ordinary high-water mark" and shifting toward a site-specific standard intended to preserve shoreline passage and avoid forcing storage across roads or into vegetation. Definitions for "shared dock" versus shared waterfront ownership are flagged as needing clarification to reduce confusion. A discussion on the minimum lot width table affirms its purpose as limiting intensity of use. PC maintains the existing "five feet per additional family" standard and requests an introductory explanation for the table. Appreciation is expressed to counsel and staff for drafting support. Following deliberations, the Chair cites the PC bylaws (Meetings, Section 8, Public Hearings, Subsection 7) stating action is taken no sooner than the following meeting unless the delay is waived by majority vote; customary delay is therefore not required, and action may be taken the evening of a public hearing if the PC moves to waive this provision on the bylaws.

Motion by Hall to schedule to hold a special meeting February 19 at 7 p.m. for the purposes of reviewing the next draft of the Shoreline Regulation Ordinance, seconded by Hornberger. Motion Passes

- c. Zoning Ordinance Rewrite Discussion
 - Amendment 201 Acreage
 - Signage Draft Ordinance

Staff requests adding rewrite-related discussion items to the February 19 agenda if McKenna documentation is received, focusing on sign ordinance revisions and special use permit revisions; this is accepted as discussion-only items.

11. Reports and Updates – Verbal:

Agricultural Advisory Committee: Beard reports that work continues on internal data collection regarding potential changes related to Amendment 201 acreage thresholds. Draft sign ordinance feedback from the AAC includes opposition to a permitting requirement for temporary/seasonal signage and objection to a proposed 15-foot setback from the right-of-way. Subcommittee work on small processor guidelines and a broader recommended rewrite of A-district uses by-right and by special use permit; additional AAC recommendations (including Amendment 2011 and agritourism definitions/uses) are described as a significant package requiring further review. Next AAC meeting is scheduled for February 17 at 2:00 p.m. at the Township Hall.

Town Board - Alexander notes the Board mediation committee met with wineries; positions were exchanged and common ground was found with hope for a follow-up meeting. Positive movement is referenced in WOMP lawsuit. Possible mediation in the Meihn matter is discussed for next fall (September/October timeframe), with date.

Non-motorized Transportation - Shipman reports public engagement planned for April 28 at Old Mission Peninsula School, likely 6:00–8:00 p.m., with subsequent engagement and administrative review to follow.

12. Brief Public Comments (please keep comments to 3 minutes or less): none offered

13. Other Matters or Comments by Planning Commission Members:

Hall: public input and correspondence are considered and influence deliberations

Hornberger: notes ordinances can be revised in the future as needed.

14. Adjournment

Motion by Hornberger to adjourn, seconded by Shanafelt.

Motion passes

Meeting adjourned at 9:23 p.m.

PENINSULA TOWNSHIP

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PLANNING COMMISSION SPECIAL MEETING MINUTES – Rescheduled Regular Meeting February 19, 2026 - 7 p.m

1. Call to Order by Beard at 7 p.m.
2. Pledge
3. Roll Call

Present: Alexander, Beard, Hall, Hornberger, Shipman; Absent/Excused: Eckstein, Shanafelt

Planner of Record: Sara Kopriva, Beckett & Raeder

4. Approve Agenda

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

Motion Passes

5. Brief Citizen Comments (For Agenda Items Not Scheduled for Public Hearing)

Jim Carruthers, 14114 Bay View Ave: expresses support for addressing long-standing shoreline enforcement issues but raises concerns about expanding allowable docks and hoists, particularly in keyhole developments. Emphasizes winter storage and shoreline clutter as significant problems, describing stacked shore stations and debris as detrimental to the Peninsula's scenic character. Urges stronger viewshed protections within the ordinance and questions how proposed storage setbacks and natural feature provisions align with existing shoreline vegetation standards in Section 7.4.4. Encourages better integration of ordinance sections and advocates for removing shore stations from the beach during the off-season to preserve aesthetics and protect the community's year-round scenic values.

6. Communications: none

7. Conflict of Interest: none reported

8. Business

a. Zoning Amendment #206 – Shoreline Regulations

PC reviews February 19 draft markup (notes the draft date appears incorrect – should be 2026, not 2025). With legal counsel absent, the chair directs members to identify issues, compile edits for attorney review, and plan to act at the March 5 regular meeting. Commissioners work page-by-page to correct section references, numbering, punctuation, and defined-term capitalization, and to tighten definitions (including removing “to dive” from the swimming platform definition). Revise language to better reflect seasonal realities (changing “located on” to “used in connection with”), confirm off-season storage standards with minor punctuation and capitalization fixes, and standardize “shall” language.

The PC reorganizes dock placement rules for clarity and consistency, eliminating what the PC believes is confusing “shoreside/waterside/edge” phrasing, and structuring requirements around three scenarios: non-shared docks (15-foot setback), joint use docks (30-foot setback), and shared waterfront ownership (centering the dock as near as possible to the center and complying with Section 7.4.2). PC acknowledges safety concerns raised in correspondence but declines to attempt to regulate water-surface activity, preferring clearer placement standards and attorney review.

PC aligns freestanding water equipment setback language with dock setback language, adjusts lighting language to cover docks and freestanding equipment, removes a confusing “per family” hoist limitation for shared waterfronts, adds dock patios where lists are intended to be comprehensive, and retitles the administrative waiver section as a waiver of “placement standards” with improved formatting. They direct the planner to update graphics for terminology and spacing and to add three diagrams (non-shared, joint

use, shared). **Beard** closes discussion by stating a revised draft will return for possible action on March 5 and then be forwarded to the Board with a recommendation.

9. Brief Public Comments (Please Keep Comments to 3 Minutes or Less)

Sally Erickson, 2228 Kaukauna Court: of Port of Old Mission; thanks the PC for its work and notes a housekeeping concern: because her development uses a permitted mooring buoy counted toward its allowed boat total, she suggests that “moorings” be referenced alongside hoists where applicable. Asks for clarification regarding the shared waterfront density grid on page eight, stating it differs from the formula used when her development and Hidden Ridge were approved. Inquires whether previously approved family/frontage allocations remain in effect or would be reduced under the new grid, expressing concern about significant reductions.

Kopriva/Beard: indicate that developments properly approved under prior ordinances would remain valid as legal nonconformities, while future developments would need to comply with the new standard, and they agree to review the legislative history and confirm at the next meeting.

Jason Warren, 10707 Wood View Terrace: notes a housekeeping issue, observing that while the draft frequently references shared waterfront, it does not appear to include a corresponding definition in the terms section and suggests adding one. Commends PC’s work on the shoreline regulations and the Township’s broader preservation efforts, including the PDR program, stating that both reflect a commitment to maintaining the Peninsula’s character, supporting long-standing farming families, and ensuring continued public access and recreational opportunity. Describes the proposed shoreline regulations as a thoughtful compromise shaped by community input and expresses appreciation for the commission’s willingness to listen to diverse perspectives.

Jim Carruthers, 14114 Bay View Ave: reiterates concerns about off-season storage and its relationship to existing shoreline vegetation standards, including the 35-foot inland regulation and 70 percent vegetative buffer requirements, stating the draft does not clearly address potential impacts to those protections. Raises concerns about dock depth, noting some docks are being placed significantly inland, potentially obstructing shoreline passage, and asks whether placement relative to the water’s edge should be regulated. Expresses continued concern about dock lighting and increasing light pollution, particularly illuminated docks and decorative lighting that conflict with dark-sky principles, and questions how lighting standards would be enforced. Asks how the Township intends to enforce the ordinance, noting zoning enforcement is typically complaint-driven and can create tension among neighbors. Emphasizes the importance of managing growth, infrastructure, shoreline aesthetics, and viewshed protection in alignment with broader preservation efforts such as PDR and conservation measures.

10. Other Matters or Comments by Planning Commission Members

Beard states that the planning commission and zoning rewrite subcommittee plan to review and potentially recommend amendments to the lighting ordinance later in the year, noting that the existing code focuses on wattage and direction and predates widespread LED use. He explains that updated standards may be needed to better support the Township’s dark-sky goals.

PC discusses a letter from Heather Smith of the Watershed Center regarding broader shoreline preservation issues, including buffer zones and shoreline hardening, and acknowledges these topics are not fully addressed in the current Code. Members reiterate that shoreline resilience and ecological protections were identified early in the process as a separate “bucket” of work, but that the PC prioritized dock and shared waterfront regulations first. While some members express concern about ensuring consistency with existing shoreline cover and vegetation standards, others caution against expanding the scope of the current amendment and delaying its adoption. PC agrees that additional shoreline preservation measures will be addressed in future work and notes that the ordinance can be amended later if needed.

Commissioners also clarify that enforcement is complaint-driven with a formal complaint process available through the Township website and emphasize that the PC's authority is limited to regulating land use, not in-water behavior. Issues gratitude for Shoreline Study Group and community members for their sustained involvement over the multi-year process, describing the ordinance as a product of extensive input and compromises, and reiterates that it remains a living document subject to future revision.

11. Adjournment

Motion by Shipman to adjourn, seconded by Hall.

Motion Passes

Meeting Adjourned at 8:56 p.m.

DRAFT

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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 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.

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- 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, including an attached Dock Patio or attached Swimming Platform.
- c. **Dock Patio.** A structure that serves as an outdoor gathering space extending along or from shore, often accommodated by seating and tables. A Dock Patio may be attached to a Dock or may be freestanding.
- d. **Freestanding Water Equipment.** A seasonal structure used for waterfront purposes that is either (1) moored in the water independently of a Dock, or (2) placed along or attached to the Shoreline but not connected to a Dock. Freestanding Water Equipment includes, but is not limited to, freestanding Swimming Platforms, freestanding Dock Patios, freestanding Boat Hoists, and freestanding Jet Ski Hoists.
- e. **Hoist, Boat.** A mechanical device that is used to moor boats adjacent to or along the Shoreline or lift and move boats in and out of the water.
- f. **Hoist, Jet Ski.** A mechanical device that is used to moor jet skis adjacent to or along the Shoreline or 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.
- g. **Joint-Use Dock.** A single Dock that serves two (2) adjacent waterfront Lots under separate ownership, where the property owners have agreed to share use of the Dock in lieu of each Lot having its own Dock.
- h. **Shoreline.** The edge of a body of water, where the water and shore meet.
- i. **Swimming Platform.** A structure that serves as a platform for swimmerspersons to enter and exit the water ~~to dive into the water~~ and typically includes at least one (1) ladder to climb up from the water. A Swimming Platform may be attached to a Dock or may be freestanding.

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SECTION 3. AMENDMENT TO ZONING ORDINANCE. Subsection (c) Boat Hoists and Docks of Zoning Ordinance Section 6.2.2 (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, Docks, and Freestanding Water Equipment:

- 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 extending from one's property 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 or Freestanding Water Equipment, but they all must meet the requirements of this Section, except as provided in the following subsection.
 - b. When a Dock or Freestanding Water Equipment is used in connection with 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, to the extent they contact the Shoreline, 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 equipment shall be taken out of the water between November 1 and April 1. Offseason storage shall be subject to the following regulations:
 - a. Unless stored offsite, all items must be stored within the Lot lines of the Shoreline Lot which the Dock serves.

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- b. All items must be stored at least four (4) feet above the Shoreline and as far landward as practicable, given existing site conditions. Modification of the Shoreline area or removal of natural features (e.g., trees, bluffs, or rocks) to achieve compliance is not required.
 - c. All Dock sections and Freestanding Water Equipment 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.~~

a.

~~i. **Non-Shared Docks.** No portion of a Dock, including but not limited to Dock Patios, ~~and~~ Swimming Platforms, and Docks placed entirely within the water, may shall be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point ~~each the~~ side lot line hits the Ordinary High-Water Mark of Lake Michigan.~~

b. Joint-Use Docks. The side setback requirement applying to the lot line dividing the Lots shall be waived for adjoining waterfront lot owners placing a Joint-Use Dock. However, the setback requirement from lot lines abutting the two-adjacent Lots using the Joint-Use Dock shall be 30 feet. When the land itself (and not just the Dock) is Shared Waterfront Ownership, the requirements of Section 7.4.2. shall also apply.

~~ii. **c. Shared Waterfront Ownership.** Docks, including but not limited to Dock Patios, Swimming Platforms, and Docks placed entirely within the water, Docks shall be located at the nearest point to the center of the -Lots under Shared Waterfront Ownership as near as possible to the center of Lots under Shared Waterfront Ownership. No portion of a Dock, including but not limited to Dock Patios, Swimming Platforms, and Docks placed entirely within the ~~water, shall~~ water, shall be located within the 30-foot minimum~~

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setbacks measured from a straight line extending perpendicular to the Shoreline from the point each side lot line hits the Ordinary High-Water Mark of Lake Michigan.

~~iii.~~ **d. 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) **Freestanding Water Equipment Placement.** Freestanding Water Equipment 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. **Riparian Access Requirement.** Freestanding Water Equipment shall be located within and accessed through the riparian area of the lot it serves. The riparian area shall be determined by extending each the side lot lines perpendicular to the Shoreline from the Ordinary High-Water Mark into the water.

b. **Waterside Setback.** No portion of Freestanding Water Equipment, shall be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point each side lot line hits the Ordinary High-Water Mark of Lake Michigan. No Freestanding Water Equipment shall be placed 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.

c. **Hoists.** Freestanding Boat Hoists and Jet Ski Hoists shall count toward the maximum number of Hoists permitted. The total number of Boat Hoists and Jet Ski Hoists, whether attached to a Dock or freestanding, shall not exceed the limits established for each Lot.

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

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~~11)~~

~~12)~~11) Lighting. All Dock and Freestanding Water Equipment lighting must be downward facing and fully shielded, and shall only be lit when the Dock or Freestanding Water Equipment is being actively used or the lighting is needed for safety. This paragraph also applies to any permanent dock.

~~13)~~12) 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 shall be as follows:

- a. Non-Shared Docks or unattached Boat and Jet Ski Hoists may have no more than three (3) Boat Hoists.
- b. Joint-Use 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.~~

~~14)~~13) Non-Commercial Use Only. Docks, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water 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.

~~15)~~14) Administrative Waiver ~~of Dock Placement Standards and Other Water Access Structures.~~

In the event that two adjacent Lots cannot both comply with the Dock Placement standards of this Section at the same time, or in the event that compliance with ~~the such~~ of this Section ~~are is unclear is not practical~~ due to the unique circumstances of the Lot, Lots, or relevant Shoreline or Lot(s), the owners in question ~~may 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)~~a. the hardships or expenses that may be incurred by either Lot owner for any prudent alternative Dock configuration or placement that would comply with this Section,

~~(2)~~b. the safety risks or liabilities imposed on either Lot and Lot owners by providing for a waiver, and

(3) c. the best interests of both Lots and adjacent Lots is maintained while carrying out the intent and spirit of this Section to protect the public health, safety, and general welfare of persons, property, and Lots along Grand Traverse Bay even if a waiver is granted, ~~and~~

~~(4) d. the spirit of this Section to protect the public health, safety, and general welfare of the persons and property along Grand Traverse Bay is maintained.~~

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~~Any approval of a waiver request by The-the Zoning Administrator may grant waivers from~~ from this Section in order to resolve ~~a conflict~~noncompliance with this Section but shall only ~~do so be~~ when there are no conforming arrangements that would reasonably ensure ~~safe ethe~~public health and safety~~enjoyment of the water for of all the~~ parties involved. The Zoning Administrator shall conduct a meeting with the Lot 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, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water Equipment~~Docks, Boat Hoists, Jet Ski Hoists and other related equipment~~ 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 Township²s 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 Lots 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 Docks and other waterfront land uses on Shared Waterfront Ownership lots.
- (2) **Minimum Shoreline Width Requirements:**

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

(3) ~~D. Docks, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water Equipment~~ ~~ocks, Boat Hoists, Jet Ski Hoists and other related equipment~~ 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 Lots under Shared Waterfront Ownership. ~~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.

~~(5)~~

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: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

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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