

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

[www.peninsulatownship.com](http://www.peninsulatownship.com)

## PENINSULA TOWNSHIP PLANNING COMMISSION AGENDA

### Regular Meeting

April 9, 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 Scheduled for Public Hearing)
6. **Communications**
7. **Conflict of Interest**
8. **Approval of Minutes**
  - a. March 5, 2026 Special Meeting minutes
9. **Business**
  - a. **Postposed to May**-Zoning Amendment #207 to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C
  - b. **Public Hearing**-St Joseph Catholic Church SUP #117 Amend #2, Accessory Building
  - c. **Public Hearing**- Zoning Amendment #208 Signage
  - d. **Public Hearing** – Zoning Amendment #209 Short Term Rentals (Record-Eagle notice incorrectly had as Zoning Amendment #200)
  - e. Zoning Amendment #210 Special Use Process
10. **Reports and Updates- Verbal**
  - a. Agricultural Advisory Committee (Beard)
  - b. Township Board (Alexander)
  - c. Non-Motorized Plan (Shipman)
11. **Brief Public Comments (Please keep comments to 3 minutes or less)**
12. **Other Matters or Comments by Planning Commission Members**
13. **Adjournment**

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

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI, 49686  
[www.peninsulatownship.com](http://www.peninsulatownship.com)

## Planning Commission Rescheduled Regular Meeting March 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; **Absent/Excused:** Shipman Township Planner of Record - Sara Kopriva; **Virtual:** Chris Patterson, Fahey Schultz Burzych Rhodes
4. **Approve Agenda**

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

**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: February 5, 2026**

**Beard identifies the need to update minutes to include the name of an applicant as well as relabeling the meeting from special meeting to rescheduled regular meeting.**

**Motion by Hornberger to approve minutes as amended, seconded by Eckstein.**

**Motion**

**Passes**

9. **Business**

- a. **Public Hearing - Zoning Amendment #207 to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R1-C to R1-C**

**Kopriva** reintroduces the request to rezone a split-zoned parcel to entirely R1C, noting applicant-proposed conditions limiting development to four new lots and preserving 20% slopes with existing vegetation. Staff report provides decision-making criteria. Applicant (Suzanne Schulz) presents rationale to eliminate dual zoning, align with surrounding R1C uses, and remain consistent with the township's Master Plan. Proposal suggests up to four buildable lots may be possible subject to future engineering, with no disturbance of steep slopes. PC discussion centers on slope, stormwater, road access, and whether increased density is appropriate given topography. Applicant acknowledges final lot yield may be reduced following engineering. Staff clarifies layout is conceptual, conditions would be deed-restricted, and detailed review of stormwater, slopes, and road design occurs during subsequent township permitting. PC confirms consideration is limited to rezoning, not site design, and that technical concerns will be addressed during later review stages.

**Beard opens the public hearing portion of the business item.**

**Leslie Young, 10720 Center Road:** states property is adjacent to the subject parcel and zoned R1A. Notes a prior PUD request did not meet minimum acreage, and current rezoning request would allow an additional building site. Raises concern regarding increased surface coverage and runoff, citing significant drainage issues from nearby Eagles Landing, including flooding of an adjacent field. Young states subject property has steeper slopes

and similar development could exacerbate impacts. Requests PC consider stormwater and density impacts. Offers to submit photographic evidence to staff for review prior to decision.

**Bill Smethells, 10547 Bluff Road:** states his property is located below the subject parcel. Raises questions regarding location of the top of the slope, potential future soil movement or grading, and applicable setback requirements in relation to the slope. Notes uncertainty whether his questions pertain to the rezoning stage or later review.

**Robert Binder, 10467 Bluff Road:** states his property adjoins the subject parcel, including the separately platted fifth lot extending to the water. Raises questions regarding septic and drain field locations, potential impacts to nearby wells, and whether lots would share or have individual systems. Seeks clarification on parcel configuration, tax IDs, and whether lot lines or access (including potential lake access) could change in the future. Notes general concern regarding development impacts, particularly to his water supply.

**Beard closes the public hearing.**

**Further discussion:** Staff clarifies setbacks are the same in both districts and current ordinance does not regulate building proximity to slopes, grading, or vegetation removal. Notes proposed slope and vegetation protections are voluntary conditions tied to the rezoning and exceed current regulatory authority. PC discusses limitations of regulating steep slopes under existing ordinance and acknowledges development could occur on slopes absent proposed conditions. Concerns raised regarding topography, runoff, and rationale for original R1A zoning. Beard emphasizes decision is limited to rezoning, not site design, and that conditional rezoning must be accepted or rejected as proposed. Notes applicant is offering conditions in exchange for increased development potential. Confirms no action taken at this meeting and matter will return in April for decision.

**b. Introduction - St. Joseph Catholic Church SUP #117 Amendment #2, Accessory Building**

**Kopriva** introduces request for a 760 sq. ft. accessory building at St. Joseph Catholic Church, noting compliance with setbacks on a large parcel and minimal review requirements. Indicates stormwater review not automatically triggered due to location.

**Eric Mulvany, St. Joseph Catholic Church:** explains need for additional storage due to space limitations and fire inspection concerns. States building will be located behind existing garage, designed to match footprint and minimize visibility, while preserving flat area for church events.

PC briefly discusses placement and site conditions, noting proposal is non-controversial. Directs scheduling of a public hearing for April 5 and approves motion to proceed, with intent to consider action at that meeting.

**Motion by Alexander to schedule this item for public hearing at the April regular meeting of the Planning Commission, seconded by Shanafelt.**

**Motion Passes**

**c. Continued Discussion - Zoning Amendment #206 - Shoreline Regulations**

PC continues review of draft shoreline regulations revised after the February 19 meeting. Chair explains informal consensus will be used where possible, with formal motions only if needed. PC reviews draft language section by section and agrees to multiple wording revisions for clarity, consistency, and cross-referencing, including use of "requirements" in place of "standards," clarification of shared waterfront ownership references, revisions to dock placement language, replacement of "ordinary high water mark" with "shoreline" in several sections, and clarification of storage and portable toilet setback language. PC also revises hoist language for readability and consistency. After completing revisions, PC discusses overall support for the ordinance. Amendment reflects extensive public input and long-term work, balances shoreline protection with reasonable use, and provides clearer regulation of docks, hoists, storage, and shared waterfront areas. Some concern remains regarding use of "shoreline" rather than "ordinary high water mark" and the number of hoists allowed, but Commissioners express support for moving the amendment forward.

**Motion by Beard to recommend approval of Zoning Amendment #206 – Shoreline Regulations, as amended on March 5, 2026, to the Township Board, seconded by Hall.**

**Roll Call Vote: Alexander: yes; Beard: yes; Eckstein: yes; Hall: yes; Hornberger: yes; Shanafelt: yes**

**Motion Passes Unanimously**

**d. Zoning Ordinance Rewrite Discussion**

**• Signage - New Language**

PC reviews McKenna draft signage language and discusses several remaining issues, including sandwich boards, flags, feather flags, seasonal sign permits, incidental agricultural signs, ground poles, and sign setbacks. General support is expressed for allowing sandwich boards if properly anchored, and staff is asked to clarify inconsistent treatment of sandwich boards and A-frame signs. Questions restrictions on flags attached to principal buildings and requests additional information on best practices and consistency with flag illumination requirements and dark sky standards. Discussion also supports reconsideration of limits on ground poles and feather flags across zoning districts. PC discusses agricultural sign provisions and expresses support for removing permit requirements for seasonal and incidental agricultural signs, while retaining permits for permanent signs. Concerns raised about setback language and visibility for seasonal signs near roadways.

**Motion by Shanafelt to schedule signage ordinance for public hearing at the April 5 meeting, seconded by Eckstein.** **Motion Passes**

**• Special Use Permits - Verbal Updates**

Update provided on special use permit (SUP) language, indicating only minor revisions remain and a full draft will be brought back for Commission review in April.

**• Short-Term Rentals - New Language**

Brief review of proposed short-term rental language revisions, noting changes only reorganize existing ordinance language for clarity as outlined in the McKenna memorandum. PC agrees the amendment is straightforward.

**Motion by Alexander to schedule the short-term rental zoning code amendments for public hearing at the April 5 meeting, seconded by Hall.** **Motion Passes**

**• Amendment 201 Acreage - Verbal Update**

Reported that additional information needed for Amendment 201 (acreage and ownership analysis) is delayed due to Board of Review workload within the assessing office and is expected to return in April.

**10. Reports and Updates - Verbal**

- a. Agricultural Advisory Committee (Beard):** Continued work on signage recommendations, pending acreage-related analysis, and upcoming review of a comprehensive agritourism memo, including definitions and permitted uses.
- b. Township Board (Alexander):** highlights correction of assessment notices due to incorrect calculation, upcoming Board of Review session for appeals, and stay of judgment in WOMP lawsuit.
- c. Non-Motorized Plan (Shipman):** none

**11. Brief Public Comments (Please keep comments to 3 minutes or less)**

**David Spinweber, 966 Bayside Dr:** identifies a drafting issue in the shoreline ordinance regarding timing language for removal of docks and hoists. (PC agrees clarification is warranted and will be forwarded to the Town Board.)

**Sally Erickson, 2228 Kaukauna Court:** expresses support for the shoreline ordinance, particularly dock alignment provisions, and suggests adding moorings to definitions and reconsidering use of “shoreline” versus “ordinary high-water mark” for clarity and enforceability. (PC notes further revisions are now within Town Board purview.)

**12. Other Matters or Comments by Planning Commission Members**

**Beard** acknowledges receipt of a memorandum regarding ex parte communications, tied to prior discussions on decision-making protocols. Discussion deferred to a future meeting to allow adequate time for review. Gives notice of upcoming presentation to the Town Board by Commission/Committee Chairs. References a self-authored township newsletter article on permissive zoning.

**13. Adjournment**

**Motion by Alexander to adjourn, seconded by Hall.** **Motion Passes**

**Meeting adjourned at 9:38 p.m.**

Date: 04.01.2026

From: Sara Kopriva, AICP  
To: Peninsula Planning Commission

Project: Zoning Amendment #207 to conditionally rezone parcel ID #28-11-009-029-10 from R-1A/R-1C to R-1C

Due to a scheduling conflict, the applicant has requested that a decision on their application be postponed until the May Planning Commission meeting.

 *initiative*

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

734.663.2622 ph  
734.663.6759 fx

[www.bria2.com](http://www.bria2.com)

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

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

231.933.8400 ph  
231.944.1709 fx

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

616.585.1295 ph

**Date:** 04.09.2025  
**From:** Sara Kopriva, AICP  
**To:** Peninsula Township Planning Commission  
**Project:** St Joseph Catholic Church Special Use Permit Amendment 2  
**PARCEL NO:** 11-133-005-03 & 11-133-007-55  
**REQUEST:** **2<sup>nd</sup> Amendment** - Site plan and special use permit amendment to construct a 480 sq ft storage building  
**APPLICANT(S):** St Joseph Catholic Church  
**SUBJECT ADDRESS:** 12675 Center Road  
**OWNER(S):** St Joseph Catholic Church  
**ZONING:** A-1 Agricultural  
**USE(S):** Institutional Structures/Place of Worship

i  
initiative

## I. REQUEST OVERVIEW AND BACKGROUND

The petitioner requests an amendment to an existing Special Land Use to construct a 480 square foot (24' x 20' x 9') metal accessory storage building to be located to the rear of the existing garage on the church property at 12675 Center Road, in accordance with Article 6 and Article 8, Section 8.6, of the Peninsula Township Zoning Ordinance, as amended, and requirements established as part of the Special Land Use, including the final site plan and accompanying documents as retained in the files of the Peninsula Township Planning Department.

The subject property is located at 12675 Center Road in Peninsula Township, Grand Traverse County, Michigan, within the A-1 Agricultural zoning district. The property is owned and operated by St. Joseph Catholic Church, Diocese of Gaylord, and functions as an Institutional Structure / Place of Worship, a use permitted by special land use under Section 6.7.3(5) of the 1972 Peninsula Township Zoning Ordinance, subject to the requirements of Article VIII, Section 8.6.

The existing special land use was originally approved by the Peninsula Township Board of Commissioners on September 22, 2011 (SUP #117), authorizing establishment of a new Catholic Church on parcel 11-133-005-03. A first amendment to SUP #117 was approved on April 9, 2013, incorporating the adjacent cemetery parcel (11-133-007-55) into the site plan and adding conditions related to fencing and signage along the northern property line to address concerns raised by an adjacent agricultural property owner. The conditions

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

734.663.2622 ph  
734.663.6759 fx

www.bria2.com

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

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

231.933.8400 ph  
231.944.1709 fx

Grand Rapids Office  
5211 Cascade Road SE  
Suite 300  
Grand Rapids, MI 49546

616.585.1295 ph



established under the first amendment remain operative and are carried forward in this second amendment.

The current application submitted November 18, 2025, requests approval of a second amendment to SUP #117 to permit construction of a 480 square foot (24' x 20' x 9') metal accessory storage building to be located directly behind the existing garage structure on the property, with approximately 12 feet of separation between the garage and the proposed building. The applicant's statement in support of the project describes the building as designed to mimic the footprint, roofline, and overall aesthetic of the existing garage, and states that the structure is intended to provide secure on-site storage for equipment and materials essential to parish operations, seasonal maintenance, and community events.

The Peninsula Township Zoning Ordinance does not currently provide a process for minor amendments to approved special land uses. As a result, this proposal, which is limited in scope to the addition of a single small accessory storage structure, is required to undergo full special use permit review under Article VIII, Section 8.1.3, including a public hearing by the Planning Commission and action by the Township Board. Staff provides this for context and offers it as a consideration for the Planning Commission and Board in evaluating the proportion of the review process relative to the minor nature of the proposed amendment.

## II. ZONING DISTRICT STANDARDS

The subject property is zoned A-1 Agricultural. Institutional Structures are permitted as a special land use under Section 6.7.3(5), subject to all requirements of Article VIII, Section 8.6. Applicable dimensional standards are as follows:

**Proposed Use.** Institutional Structure (accessory storage building, auxiliary to previously approved Place of Worship)

**Front Setback.** 50 ft (footnote j)

**Side Setback.** 50 ft for residential structures; 15 ft for non-residential structures (footnote f)

**Rear Setback.** 50 ft for residential structures; 15 ft for non-residential structures (footnote f)

**Minimum Lot Size.** 5 acres

**Minimum Lot Width.** 330 feet

**Staff Comment.** Footnote (f) of the dimensional requirements table provides that the minimum setback for structures other than residential shall be fifteen (15) feet. The proposed accessory storage building is a non-residential structure accessory to institutional use; therefore, the applicable setback standard is 15 feet on all sides, not the 50-foot standard applicable to residential structures. The proposed building's location to the rear of

the existing garage in the western interior of the developed site area appears consistent with this 15-foot standard, however, the submitted site plan does not include dimension callouts confirming the building's setback distances from the property lines. Staff recommends consideration of a condition of approval requiring that a revised site plan confirming all setback dimensions be submitted prior to issuance of a building permit.

With respect to Section 7.7.1 (Agricultural Setbacks), this provision, by its plain language, applies to planned unit developments, subdivisions, condominiums, mobile home parks, or other group housing, and to metes and bounds parcels created after the effective date of the amendment. The subject property is an existing institutional parcel established prior to this amendment and does not constitute any of these development types. Section 7.7.1 is therefore not applicable to this proposal. Staff notes, nonetheless, that the proposed storage building is located in the interior of the developed site area and is not proximate to the northern property line adjacent to agricultural land, which was the subject of conditions imposed under the first amendment to SUP 117.

### III. GENERAL STANDARDS

#### Section 8.1.3 Basis for Determinations:

Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- 1) **General Standards:** The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
  - a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

**Staff Comment.** The proposed accessory storage building has been intentionally designed to mimic the footprint, roofline, and overall aesthetic of the existing garage structure on the property, ensuring visual continuity with the established site character. The building's placement directly behind the existing garage minimizes its visibility from public roadways and neighboring parcels. The proposed structure is consistent with the character of the site as previously approved and will not change the essential character of the surrounding area.

- b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

**Staff Comment.** the proposed storage building is a minor accessory structure ancillary to an established place of worship that has operated on the site since 2011. The structure is intended to provide secure on-site storage for equipment and materials related to parish operations and will not introduce any hazardous or disturbing activities. The proposal represents a practical improvement to the site’s operational functionality.

- c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

**Staff Comment.** The proposed development does not alter the existing access, utility, or service arrangements for the site. The site continues to be served by existing infrastructure as established under the original SUP 117 and first amendment approvals. No new demands on public services are anticipated.

- d) Not create excessive additional requirements at public cost for public facilities and services. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

**Staff Comment.** The proposed accessory storage building will not create any additional requirements at public cost for public facilities or services, nor will it increase traffic, utilities, or municipal demand. The storage proposed for the building does not involve activities that would produce negative impacts via fumes, glare, noise, or odors.

- 2) **Conditions and Safeguards.** The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

- 3) **Specific Requirements.** In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

- a) That the applicant may legally apply for site plan review.

**Staff Comment.** St Joseph Catholic Church, Diocese of Gaylord, is the owner of the subject property and is the holder of the existing Special Land Use SUP 117. The applicant may legally apply for amendment to the approved special land use.

- b) That all required information has been provided.

**Staff Comment.** The applicant has submitted a completed application form, application fee (Check 12814, \$240.00), statement in support of the proposed project, a site plan sheet indicating the location of the proposed storage building, and structure specifications. Staff notes that the submitted site plan does not include dimension callouts confirming setback distances from property lines, and recommends a condition of approval addressing this deficiency prior to building permit issuance.

- c) That the proposed development conforms to all regulations of the zoning district in which it is located.

**Staff Comment.** The proposed accessory storage building is ancillary to an institutional use previously approved by special land use. The structure's proposed location appears to conform to the applicable 15-foot non-residential setback standard under footnote (f) of the dimensional requirements, subject to confirmation of setback dimensions on a revised site plan as recommended.

- d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.

**Staff Comment.** The proposed structure is a minor accessory storage building that does not alter existing fire access, water supply, sewage, or public service arrangements on the site. All final permits must be received by the Township prior to any construction taking place on-site. Fire access to the site as established under the existing approval is not proposed to be altered.

- e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.

**Staff Comment.** No additional governmental agency approvals are anticipated as required for the proposed accessory storage building beyond standard building permit issuance. All applicable permits must be received prior to commencement of construction.

- f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.

**Staff Comment.** The proposed building is located within the existing developed area of the site. Site preparation and groundwork will be completed in a manner



that maintains existing drainage patterns per the applicant's statement. Disturbance is limited to the immediate footprint of the proposed structure.

- g) That the proposed development property respects flood ways and flood plains on or in the vicinity of the subject property.

**Staff Comment.** There is no indication of floodways or flood plains on the subject site as established in the prior approval record. The proposed structure does not affect this determination.

- h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.

**Staff Comment.** The proposed building is to be installed within the existing developed area of the church campus. Soil conditions in this area are expected to be suitable for the minor excavation and site preparation associated with a 480-square-foot accessory structure.

- i) That the proposed development will not cause soil erosion or sedimentation problems.

**Staff Comment:** Given the limited scope of the proposed construction, significant soil erosion or sedimentation concerns are not anticipated. Any soil erosion permits required under the Grand Traverse County Soil Erosion and Sedimentation Control Ordinance shall be obtained prior to construction.

- j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

**Staff Comment.** The applicant's statement indicates that site preparation and groundwork will be completed in a manner that maintains existing drainage patterns and ensures no adverse impact to neighboring properties or public infrastructure. All drainage measures shall be reviewed and approved by the Peninsula Township Engineer prior to implementation.

- k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties.

**Staff Comment.** The minor grading associated with construction of a 480-square-foot accessory structure is not anticipated to impact the character of the property or adversely affect neighboring properties. Any drainage measures implemented on-

site will require approval from the Peninsula Township Engineer prior to implementation.

- l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

**Staff Comment.** The proposed 9-foot-tall metal storage building, located in the interior of the developed site area behind the existing garage, is not anticipated to disrupt air drainage systems. The Board should note that this criterion was addressed in the original 2011 approval through MSU Geography Department review, and the proposed structure does not represent a substantial change in site conditions relative to that prior analysis.

- m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.

**Staff Comment.** The proposed accessory storage building is a single-phase addition to an established site. No subsequent phases are anticipated or shown on the application materials.

- n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.

**Staff Comment.** No expansion of public streets, drainage systems, or utility facilities is required or proposed in connection with the proposed accessory storage building.

- o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.

**Staff Comment.** The proposed building's location behind the existing garage minimizes its visibility from public roadways and neighboring parcels. No additional landscaping or screening is recommended. The fencing and signage conditions established under the first amendment to SUP 117 remain in effect and are carried forward as conditions of this approval.

- p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

**Staff Comment.** The proposed accessory storage building does not alter the existing parking layout as approved under SUP 117. No adverse impact to on-site traffic flow or access to and from Center Road is anticipated.

- q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

**Staff Comment.** The proposed structure does not alter vehicular or pedestrian circulation on the site. Existing access and circulation arrangements as approved remain unchanged.

- r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.

**Staff Comment.** No outdoor storage of garbage or refuse is proposed in connection with the accessory storage building. Refuse storage for the site continues to be handled as established under the prior approval.

- s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

**Staff Comment.** The proposed use is consistent with the spirit and purpose of the Ordinance. The addition of a minor accessory storage building to an established institutional use is a reasonable and compatible improvement to the site. The proposal is consistent with the objectives of the 2011 Peninsula Township Master Plan as noted in the prior approval record.

#### **IV. REPORT SUMMARY AND RECOMMENDED CONDITIONS**

The application by St. Joseph Catholic Church, Diocese of Gaylord, requests a second amendment to Special Land Use Permit No. 117 to permit construction of a 480 square foot (24' x 20' x 9') metal accessory storage building to be located directly behind the existing garage at 12675 Center Road, Traverse City, Michigan (Parcels 11-133-005-03 and 11-133-007-55), within the A-1 Agricultural zoning district. The proposal has been reviewed against the applicable standards of the Peninsula Township Zoning Ordinance, including the General Standards and Specific Requirements of Section 8.1.3.

Though the proposed building's setbacks from the western side parcel boundary are not explicitly marked or annotated on the updates version of sheet C1.3 submitted as part of this application, based on a review of the Grand Traverse County parcel viewer, the proposed building location appears to be situated approximately 250 feet or more from the western property line, well exceeding the applicable 15-foot non-residential setback standard.



As documented in the findings of this report, the proposed accessory storage building is a minor addition to an established institutional use that has operated on the site under SUP 117 since 2011. The proposal is consistent with the applicable standards of the Ordinance and staff finds it suitable for conditional approval. It is noted that this application is required to undergo full special use permit review solely because the Ordinance does not currently provide a minor amendment process; the scope of the proposed change is limited and does not materially alter the character or operation of the approved use.

The Planning Commission may wish to consider conditioning any approval of this application on the following:

1. Prior to issuance of a building permit, the applicant shall submit a revised or annotated site plan confirming the proposed building's dimensions and setback distances from all property lines, demonstrating compliance with the applicable 15-foot non-residential setback standard under footnote (f) of the A-1 district dimensional requirements.
2. All final permits, including any applicable building permit and soil erosion and sedimentation control permits required by the Grand Traverse County Drain Commissioner, shall be received prior to commencement of any construction on-site, and all drainage measures shall be reviewed and approved by the Peninsula Township Engineer prior to implementation;
3. All conditions established under SUP 117 (September 22, 2011) and SUP 117 First Amendment (April 9, 2013), including the fencing and signage conditions along the northern property line, remain in full force and effect and are carried forward as conditions of this approval.

## **V. DRAFT MOTIONS**


**Motion to Approve.** I \_\_\_\_\_ move to recommend approval of the application by St. Joseph Catholic Church, Diocese of Gaylord, pertaining to parcels at 12675 Center Road, Parcel 11-133-005-03 and 11-133-007-55, for a second amendment to Special Land Use Permit No. 117 to permit construction of a 480 square foot accessory storage building as depicted on the plans submitted November 18, 2025, because the applicable standards of the Peninsula Township Zoning Ordinance have been met, and upon the conditions as follows.

**PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO. \_\_\_\_\_**

Parcel Code/s #28-11- - - .

Property Address: St Joseph Catholic Church; 12675 Center Road; Traverse City, MI 49686

Applicant Address: 12675 Center Road Traverse City, MI 49686



Applicant' Signature

Review Fee \$240

12814 November 18, 2025

Check No. Date

**APPLICATION REQUIREMENTS**

1. Each application is submitted through the Zoning Administrator, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
  - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
  - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.
  - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
  - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
  - (b) The Planning Commission may hold a public hearing on the application.
  - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
  - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

**Ordinance Reference - Section 8.1.3**

**Include a statement of HOW the proposed project meets the standards:**

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- (1) General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
  - (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
  - (b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
  - (c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
  - (d) Not create excessive additional requirements at public cost for public facilities and services.
  - (e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- (2) Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.
- (3) Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:
  - (a) That the applicant may legally apply for site plan review.
  - (b) That all required information has been provided.
  - (c) That the proposed development conforms to all regulations of the zoning district in which it is located.

- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

- (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
  - (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
  - b. The decision on the special land use request is based on discretionary grounds.
8. Complies with Section 7.7 Developments Abutting Agricultural Lands.

Page 4 of 4

**Statement in Support of Proposed Accessory Storage Building  
St. Joseph Catholic Church – Peninsula Township**

St. Joseph Catholic Church respectfully requests approval for the installation of a **24' x 20' x 9' high metal accessory storage building** to be located directly behind the existing garage on church property.

The proposed building has been intentionally designed to **mimic the footprint, roofline, and overall aesthetic of the existing garage**, ensuring visual continuity and **no change to the essential character of the property or surrounding area**. Its placement behind the current structure further minimizes visibility from public roadways and neighboring parcels.

This project represents a **substantial and necessary improvement** to the church property by providing secure, on-site storage for equipment and materials essential to parish operations, seasonal maintenance, and community events. At present, adequate storage is limited, and this building will allow for more efficient and responsible stewardship of church resources.

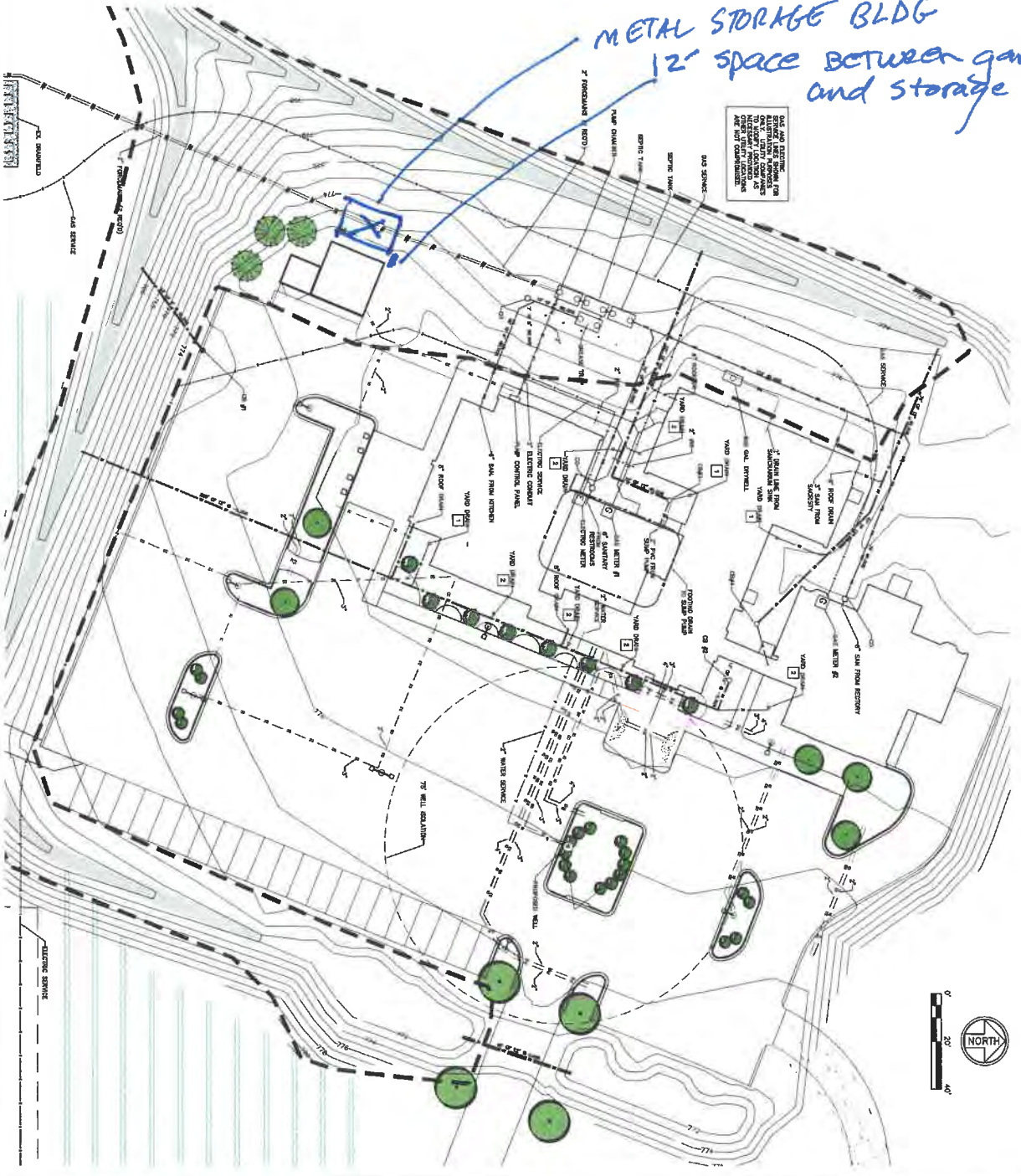
The structure will include **two means of ingress and egress** and will be constructed in full compliance with all applicable **fire, safety, and building code requirements**. Site preparation and groundwork will be completed in a manner that **maintains existing drainage patterns**, ensuring no adverse impact to neighboring properties or public infrastructure.

The proposed accessory building **will not create any additional public service or infrastructure requirements**, nor will it increase traffic, utilities, or municipal demand. Similar accessory storage buildings already exist on neighboring and comparable parcels within Peninsula Township, and this proposal is consistent in both scale and use with those installations.

For these reasons, St. Joseph Catholic Church respectfully requests the Township's approval of this accessory storage building as a reasonable, compatible, and beneficial improvement to the property.

- NOTES:**
- 1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
  - 2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70, AND THE NATIONAL PLUMBING CODE (NPC).
  - 3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70, AND THE NATIONAL PLUMBING CODE (NPC).
  - 4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70, AND THE NATIONAL PLUMBING CODE (NPC).
- LEGEND:**
- 1. 12" DIA. RIGID PVC WATER MAIN
  - 2. 12" DIA. RIGID PVC SANITARY SEWER
  - 3. 12" DIA. RIGID PVC GAS MAIN
  - 4. 12" DIA. RIGID PVC ELECTRIC SERVICE
  - 5. 12" DIA. RIGID PVC TELEPHONE SERVICE
  - 6. 12" DIA. RIGID PVC CABLE SERVICE
  - 7. 12" DIA. RIGID PVC FIBER OPTIC SERVICE
  - 8. 12" DIA. RIGID PVC DRAINAGE
  - 9. 12" DIA. RIGID PVC STORM SEWER
  - 10. 12" DIA. RIGID PVC VENT
  - 11. 12" DIA. RIGID PVC EXHAUST
  - 12. 12" DIA. RIGID PVC CONDENSATE
  - 13. 12" DIA. RIGID PVC RAINWATER
  - 14. 12" DIA. RIGID PVC SWELL
  - 15. 12" DIA. RIGID PVC FLOOR DRAIN
  - 16. 12" DIA. RIGID PVC SLOPE
  - 17. 12" DIA. RIGID PVC SLOPE
  - 18. 12" DIA. RIGID PVC SLOPE
  - 19. 12" DIA. RIGID PVC SLOPE
  - 20. 12" DIA. RIGID PVC SLOPE
  - 21. 12" DIA. RIGID PVC SLOPE
  - 22. 12" DIA. RIGID PVC SLOPE
  - 23. 12" DIA. RIGID PVC SLOPE
  - 24. 12" DIA. RIGID PVC SLOPE
  - 25. 12" DIA. RIGID PVC SLOPE
  - 26. 12" DIA. RIGID PVC SLOPE
  - 27. 12" DIA. RIGID PVC SLOPE
  - 28. 12" DIA. RIGID PVC SLOPE
  - 29. 12" DIA. RIGID PVC SLOPE
  - 30. 12" DIA. RIGID PVC SLOPE
  - 31. 12" DIA. RIGID PVC SLOPE
  - 32. 12" DIA. RIGID PVC SLOPE
  - 33. 12" DIA. RIGID PVC SLOPE
  - 34. 12" DIA. RIGID PVC SLOPE
  - 35. 12" DIA. RIGID PVC SLOPE
  - 36. 12" DIA. RIGID PVC SLOPE
  - 37. 12" DIA. RIGID PVC SLOPE
  - 38. 12" DIA. RIGID PVC SLOPE
  - 39. 12" DIA. RIGID PVC SLOPE
  - 40. 12" DIA. RIGID PVC SLOPE
  - 41. 12" DIA. RIGID PVC SLOPE
  - 42. 12" DIA. RIGID PVC SLOPE
  - 43. 12" DIA. RIGID PVC SLOPE
  - 44. 12" DIA. RIGID PVC SLOPE
  - 45. 12" DIA. RIGID PVC SLOPE
  - 46. 12" DIA. RIGID PVC SLOPE
  - 47. 12" DIA. RIGID PVC SLOPE
  - 48. 12" DIA. RIGID PVC SLOPE
  - 49. 12" DIA. RIGID PVC SLOPE
  - 50. 12" DIA. RIGID PVC SLOPE
  - 51. 12" DIA. RIGID PVC SLOPE
  - 52. 12" DIA. RIGID PVC SLOPE
  - 53. 12" DIA. RIGID PVC SLOPE
  - 54. 12" DIA. RIGID PVC SLOPE
  - 55. 12" DIA. RIGID PVC SLOPE
  - 56. 12" DIA. RIGID PVC SLOPE
  - 57. 12" DIA. RIGID PVC SLOPE
  - 58. 12" DIA. RIGID PVC SLOPE
  - 59. 12" DIA. RIGID PVC SLOPE
  - 60. 12" DIA. RIGID PVC SLOPE
  - 61. 12" DIA. RIGID PVC SLOPE
  - 62. 12" DIA. RIGID PVC SLOPE
  - 63. 12" DIA. RIGID PVC SLOPE
  - 64. 12" DIA. RIGID PVC SLOPE
  - 65. 12" DIA. RIGID PVC SLOPE
  - 66. 12" DIA. RIGID PVC SLOPE
  - 67. 12" DIA. RIGID PVC SLOPE
  - 68. 12" DIA. RIGID PVC SLOPE
  - 69. 12" DIA. RIGID PVC SLOPE
  - 70. 12" DIA. RIGID PVC SLOPE
  - 71. 12" DIA. RIGID PVC SLOPE
  - 72. 12" DIA. RIGID PVC SLOPE
  - 73. 12" DIA. RIGID PVC SLOPE
  - 74. 12" DIA. RIGID PVC SLOPE
  - 75. 12" DIA. RIGID PVC SLOPE
  - 76. 12" DIA. RIGID PVC SLOPE
  - 77. 12" DIA. RIGID PVC SLOPE
  - 78. 12" DIA. RIGID PVC SLOPE
  - 79. 12" DIA. RIGID PVC SLOPE
  - 80. 12" DIA. RIGID PVC SLOPE
  - 81. 12" DIA. RIGID PVC SLOPE
  - 82. 12" DIA. RIGID PVC SLOPE
  - 83. 12" DIA. RIGID PVC SLOPE
  - 84. 12" DIA. RIGID PVC SLOPE
  - 85. 12" DIA. RIGID PVC SLOPE
  - 86. 12" DIA. RIGID PVC SLOPE
  - 87. 12" DIA. RIGID PVC SLOPE
  - 88. 12" DIA. RIGID PVC SLOPE
  - 89. 12" DIA. RIGID PVC SLOPE
  - 90. 12" DIA. RIGID PVC SLOPE
  - 91. 12" DIA. RIGID PVC SLOPE
  - 92. 12" DIA. RIGID PVC SLOPE
  - 93. 12" DIA. RIGID PVC SLOPE
  - 94. 12" DIA. RIGID PVC SLOPE
  - 95. 12" DIA. RIGID PVC SLOPE
  - 96. 12" DIA. RIGID PVC SLOPE
  - 97. 12" DIA. RIGID PVC SLOPE
  - 98. 12" DIA. RIGID PVC SLOPE
  - 99. 12" DIA. RIGID PVC SLOPE
  - 100. 12" DIA. RIGID PVC SLOPE

METAL STORAGE BLDG  
 12' space between garage  
 and storage bldg.



UTILITY PLAN

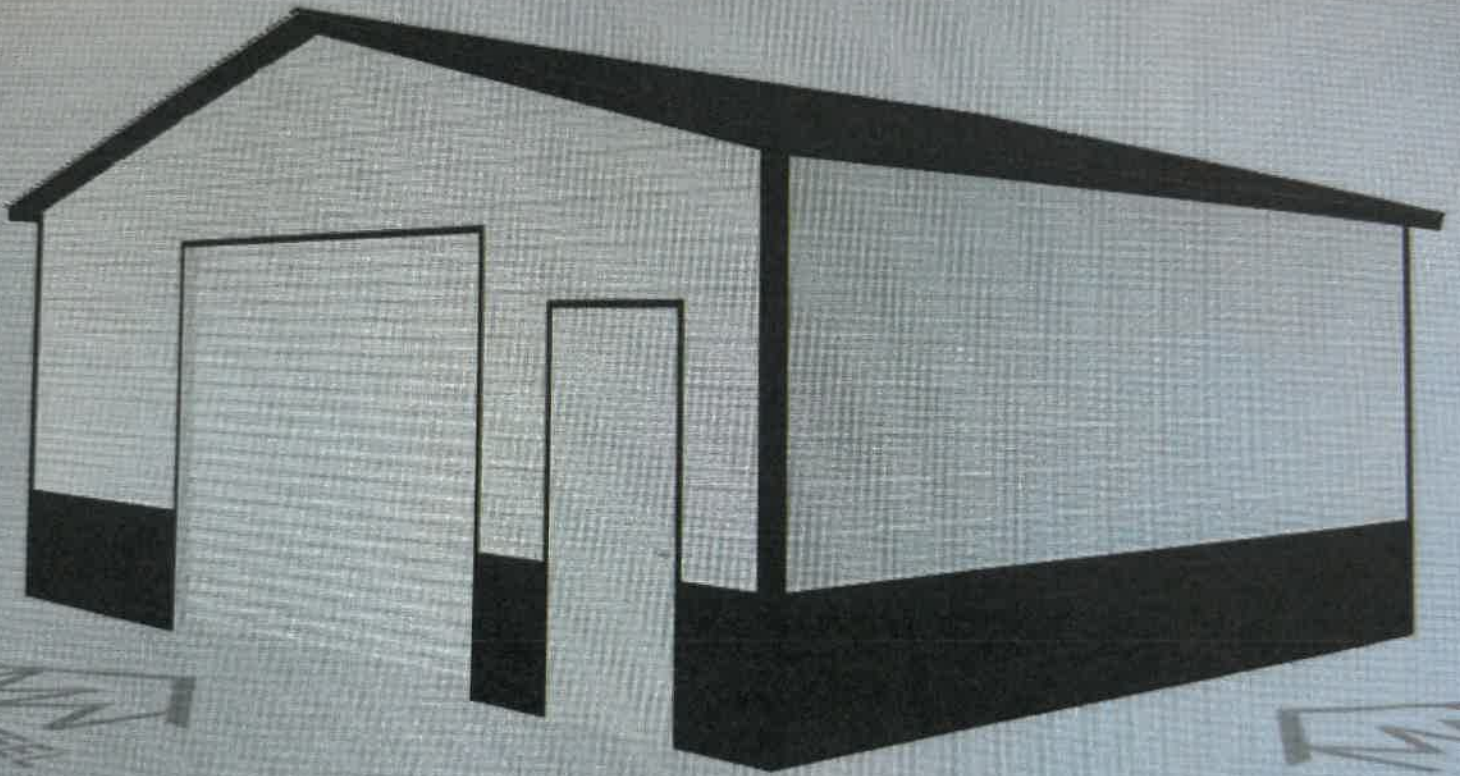
C1.3

PROJECT: CAMPUS OF ST. JOSEPH CHURCH  
 CLIENT: DIOCESE OF GAYLORD  
 LOCATION: Section 33, T29N, R10W, Peninsula Township.

ISSUE DATE: 5-6-13  
 REVISIONS:

SITE ENGINEER:  
**jozwiak consulting**  
 P.O. Box 5242 | Ironstone City, MI 49990 | 231-218-1201  
 www.jozwiakconsulting.com

Delivery for [49327](#)



24' W x 20' L x 9' H

Approximate center clearance: 12'

- HOME
- SCENE
- LEFT
- RIGHT
- IN
- OUT
- UNDO
- RESET



Search



DELL

Questions? Contact us at 877-235-5210

## STRUCTURE DETAILS

Midwest Steel and the Authorized Dealer are not responsible for changes in delivery dates caused by circumstances beyond our control (weather, equipment breakdown, etc.). It is Midwest Steel Inc. intent to keep installation time frames to a minimum at all times, however, given that the weather is unpredictable and can vary from day to day, and state to state, thus we do not have an accurate way to predict dedicated leads times regardless of any statement made by any party in regard to lead times.

### Structure Details

Style: Sheds

Base Price: 24'x20'

Installation Surface: Dirt

Installation Surface: Dirt

Roof: Black

Trim: Black

Siding Color: Arctic White

Garage Door Color: White

Side Wall Interior: White

End Wall Interior: White

Gable Ends 2-Tone Color: Black

Side Walls 2-Tone Color: Black

Roof Style: A Frame - Vertical

Roof Pitch: 3 / 12

Roof Overhang: 6"

Trusses: Standard

Gauge: 14-Gauge Framing

Leg Height: 9'

Left Side: Fully Enclosed

Left Side Siding: Horizontal

Change Location

View Details

Submit for Quote

Save



Questions? Contact us at 877-235-5210

Gable Ends 2-Tone Color: Black  
Side Walls 2-Tone Color: Black  
Roof Style: A Frame - Vertical  
Roof Pitch: 3 / 12  
Roof Overhang: 6"  
Trusses: Standard  
Gauge: 14-Gauge Framing  
Leg Height: 9'  
Left Side: Fully Enclosed  
Left Side Siding: Horizontal  
Right Side: Fully Enclosed  
Right Side Siding: Horizontal  
Front End: Fully Enclosed  
Front End Siding: Horizontal  
Back End: Fully Enclosed  
Back End Siding: Horizontal  
Approximate center clearance: 12'

**Roll Doors & Ramps**

10'x8" Rollup

**Doors & Ramps**

Walk-in Door (36x80)

**Frameouts**

Corner Style: Square (Traditional)

Corner Style: Square (Traditional)

**Additional Options**

Ridge Cap

**Additional Fees**

Gable End Frameout

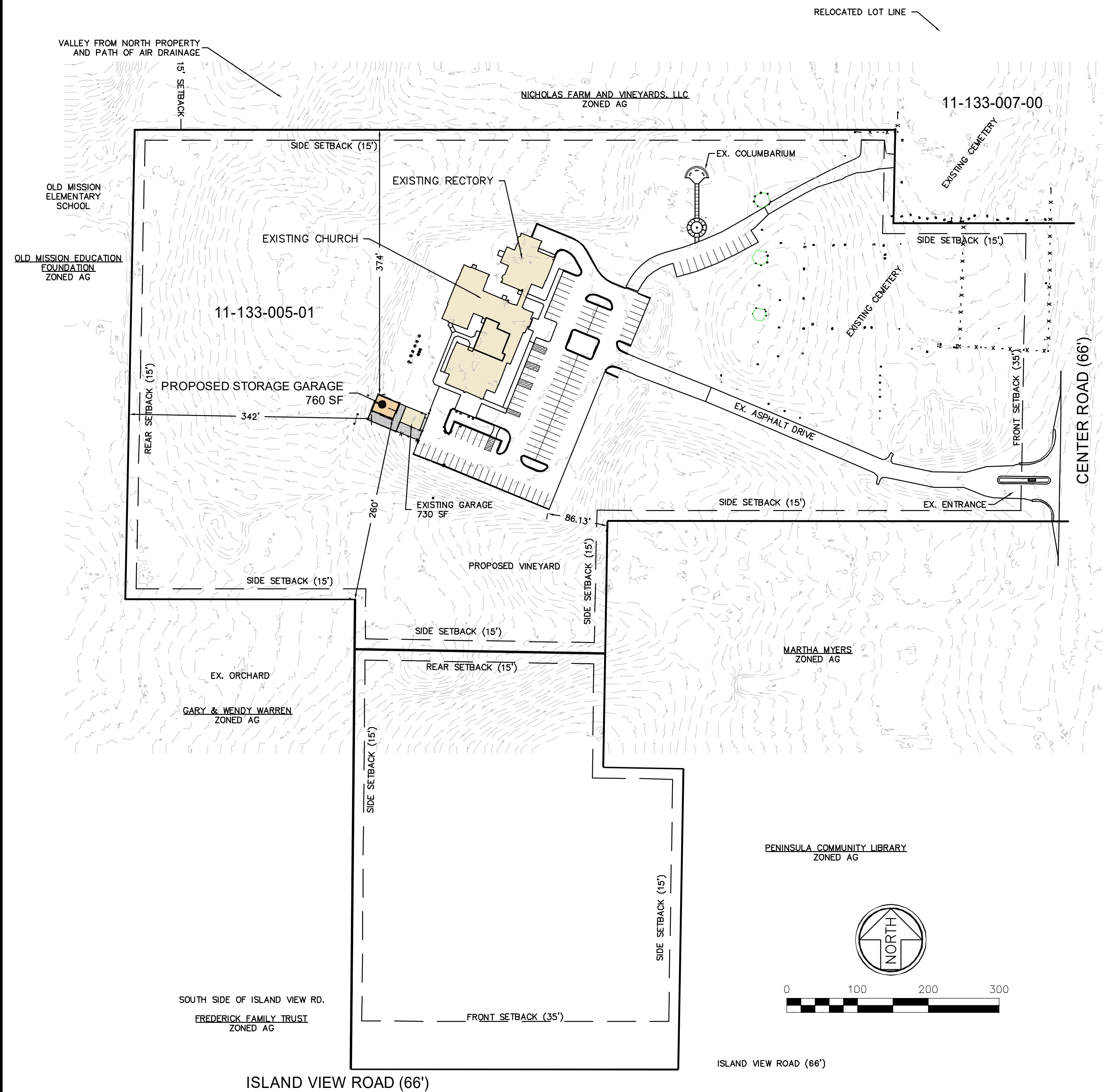
Gable End Frameout

9:43 AM  
11/18/2025

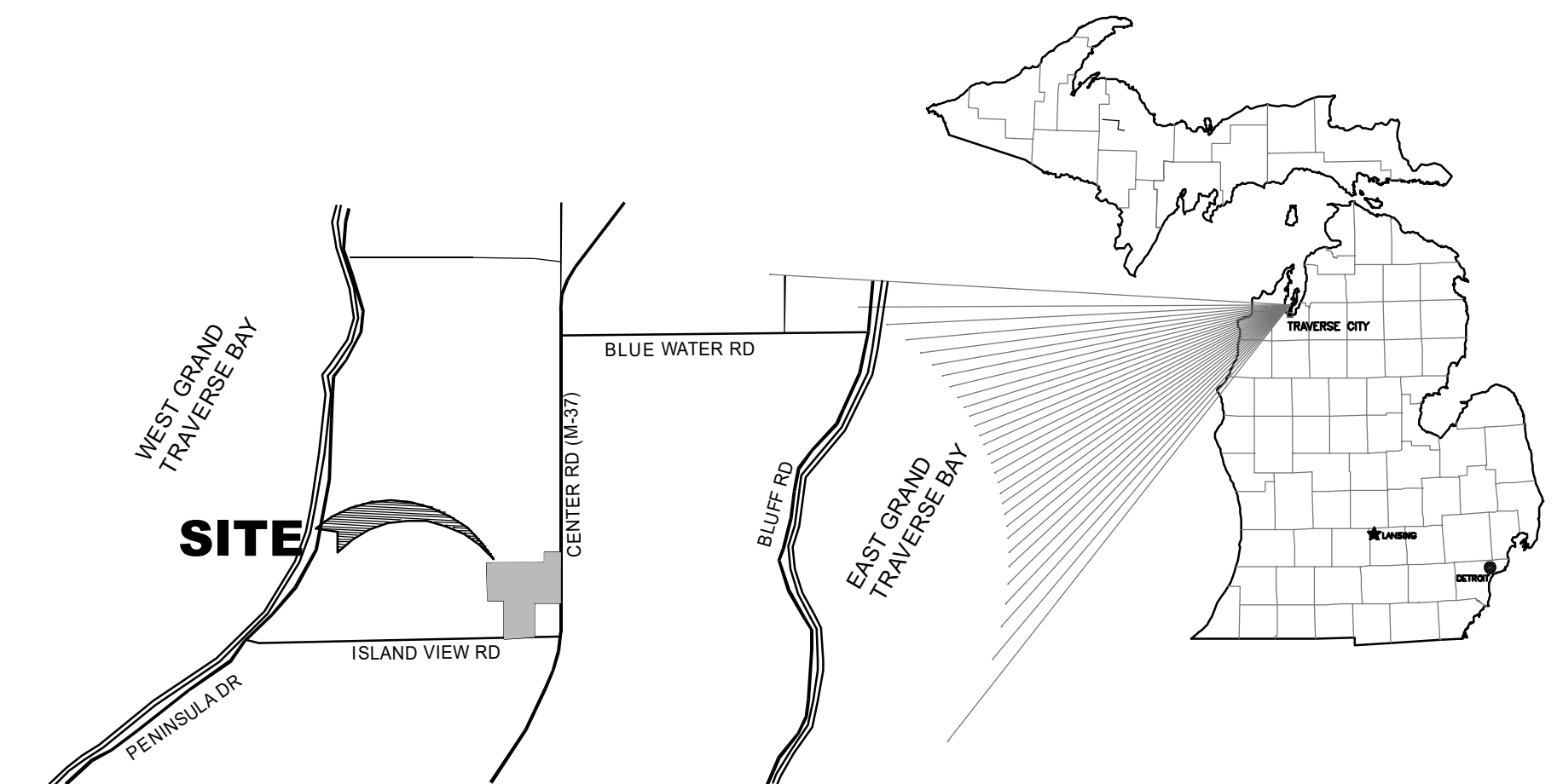
Proper

# ST. JOSEPH CATHOLIC CHURCH

## NEW STORAGE GARAGE



OVERALL DEVELOPMENT MAP



PROJECT LOCATION MAP

STORMWATER RUNOFF FROM THE PROPOSED STORAGE BUILDING WILL BE DIRECTED TO THE EXISTING STORMWATER SWALE AND BASIN.

PROPOSED BUILDING AND SURROUNDING CONCRETE REPRESENTS 300 CUBIC FEET OF ADDITIONAL RUNOFF TO A 12,000 CUBIC FEET CAPACITY BASIN WHICH EQUATES TO A 2% INCREASE IN VOLUME WHICH IS NEGLIGIBLE.

NO KNOWN ISSUES WITH THE EXISTING STORMWATER INFILTRATION BASIN. NO CHANGES PROPOSED.

STORMWATER MANAGEMENT PLAN

OWNER/APPLICANT:  
 ST. JOSEPH OF MAPLETON  
 12675 CENTER RD  
 TRAVERSE CITY, MI 49686

SITE INFORMATION:  
 ADDRESS: 12675 CENTER RD  
 TRAVERSE CITY, MI 49686

PARCEL ID: 11-133-005-03

USE  
 CURRENT ZONING: AG  
 CURRENT USE: PLACE OF WORSHIP  
 PROPOSED USE: PLACE OF WORSHIP

SITE INFORMATION

SHEET SHEET TITLE  
 C100 GENERAL PLAN INFORMATION  
 C101 SITE PLAN

SHEET INDEX

PLAN DATE:  
 1-19-2026

PERMIT SET

PROJECT:  
 NEW STORAGE GARAGE  
 ST. JOSEPH CATHOLIC CHURCH

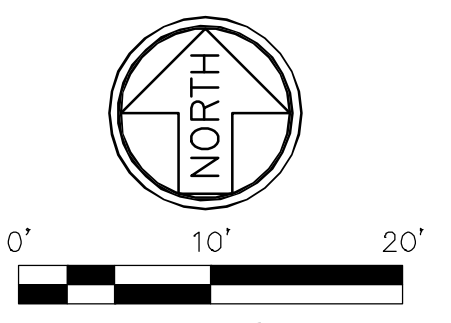
SUBJECT:  
 ST. JOSEPH OF MAPLETON  
 12675 CENTER RD  
 TRAVERSE CITY, MI

LOCATION:  
 11-133-005-03  
 12675 CENTER RD  
 TRAVERSE CITY, MI 49686

PROJECT NO.:  
 2011-115

GENERAL  
 PLAN  
 INFORMATION

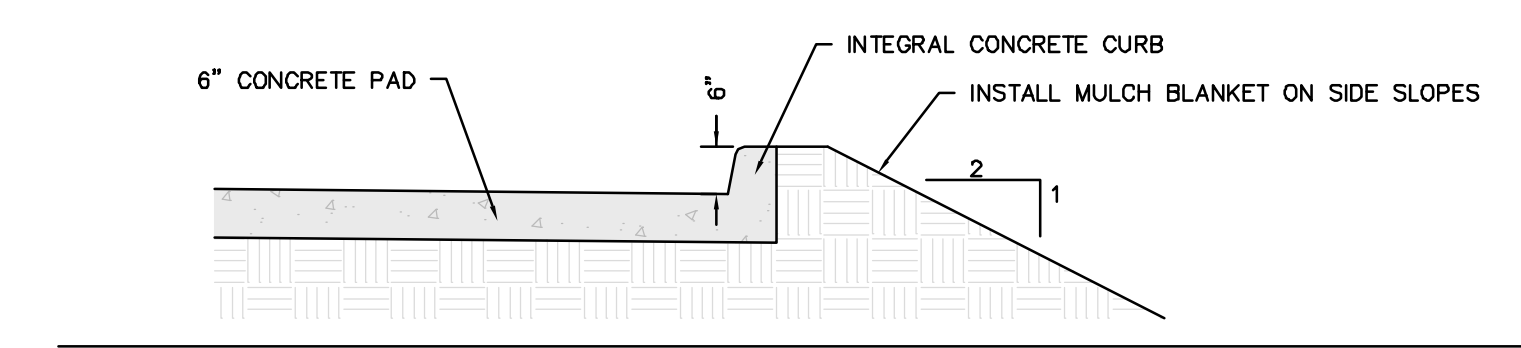
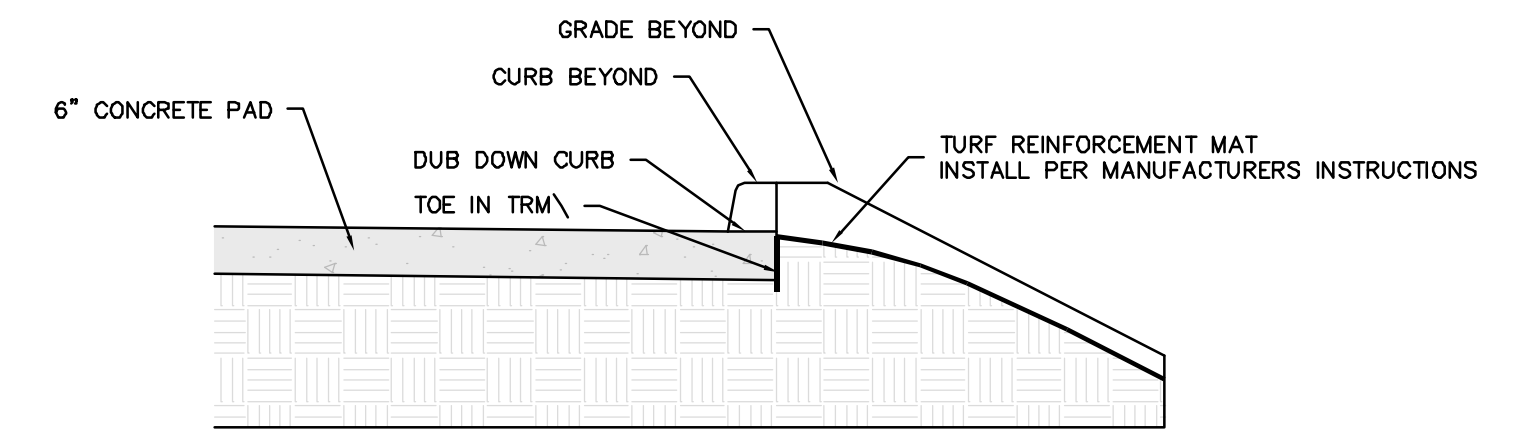
C100



SITE PLAN

TOTAL DISTURBANCE AREA = 3200 SF  
 DISTANCE TO NEAREST WATER BODY = PROJECT IS 3600 FEET EAST OF THE WEST ARM OF GRAND TRAVERSE BAY

SESC INFORMATION



CONCRETE DETAILS

PLAN DATE: 1-19-2026  
 PERMIT SET

PROJECT: NEW STORAGE GARAGE  
 CLIENT: ST. JOSEPH CATHOLIC CHURCH

PROJECT NO.: 2011-115

SITE PLAN

C101

LOCATION:  
 11-133-005-03  
 12675 CENTER RD  
 TRAVERSE CITY, MI 49686

SUBJECT:  
 ST. JOSEPH OF MAPLETON  
 12675 CENTER RD  
 TRAVERSE CITY, MI

Date: 4.3.2026  
From: Sara Kopriva, AICP  
To: Peninsula Planning Commission  
Project: Ordinance 208- Signs

---

i  
initiative

**Action Requested:** Hold public hearing and discussion.

**Possible Motion:** Motion to recommend approval of Ordinance 208 regarding signs to the Township Board

---

Attached is an updated sign amendment that was discussed at the March meeting, the draft is in a red line update, these are changes that have occurred since the March meeting.

There was discussion about sandwich board signs and making sure there is not conflict with other temporary/portable signs. Sandwich board signs have additional requirements regarding anchoring and location but are considered a temporary sign. They are required to meet the temporary sign location and number requirements in addition to the specific requirements for the sign.

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

734.663.2622 ph  
734.663.6759 fx

www.bria2.com

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

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

231.933.8400 ph  
231.944.1709 fx

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

616.585.1295 ph

# Article 10 Signs

## Section 10.01 Purpose (currently introductory paragraph of Section 7.11)

It is the intent of this Ordinance to limit the number and size of signs in order to prevent traffic hazards, promote safety for passersby, and to maintain the rural ambience and the environment of the Township. It is also the intent to allow signs that are appropriate, proportional, and in scale with adjacent uses and roadways, and which are compatible with the character of the community. The objectives of this article are:

- (A) **Traffic and Pedestrian Safety:** To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage. Also, to protect public safety by prohibiting or removing signs that are structurally unsafe or poorly maintained.
- (B) **Old Mission Peninsula Scenic Heritage Route.** To allow Peninsula Township to regulate the size (including height and display area), lighting, and spacing (, and other regulatory powers pursuant to Act 153 of 1990 and the **Old Mission Peninsula Scenic Heritage Route Guidebook**, in order to control outdoor advertising along federal aid trunk line highways and encourage signage along M-37 to blend with the local character of the community.
- (C) **Free Speech.** To ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication.
- (D) **Effective Communication.** To allow signage of an appropriate design, scale, and placement for the purposes of communicating effectively in a manner that provides information, identification, or direction, without jeopardizing the beauty of the natural landscape or disrupting the environment of historically significant features or sites.
- (E) **Protection of Scenic Areas and Viewsheds.** To regulate outdoor advertising in such a way as to create land use patterns that are in concert with future land use objectives of the Master Plan and to prevent signs that would detract from scenic roadways and scenic views (including the preservation of historic and cultural resources, scenic areas and viewsheds, and the dark night sky).
- (F) **Compatibility with the Area and Protection of Property Values.** To insure compatibility with rural lands, neighborhoods, and business areas, in order to protect land values by preventing blight, visual clutter, excessive lighting, and out-of-scale signage that degrade the aesthetic views or property values of the community, thereby enhancing the image of the community for residents, tourists, and visitors.

- (G) **Economic Development.** To allow for adequate and effective signage for businesses to inform, identify, and communicate effectively.
- (H) **Ease of Administration.** To have standards and administrative review procedures that are simple for property owners, businesses, tenants, and sign installers to understand and follow.

**Section 10.02 Definitions (NEW SECTION, which includes existing definitions in Section 3.2 related to signs)**

The following definitions relate to signs in Peninsula Township.

**(A) Sign Definitions, General.**

- (1) **Sign.** Any device, structure, fixture, or placard using graphics, symbols, or written copy designed specifically for the purpose of advertising or identifying any establishment, product, good, or service, or any other message.
- (2) **Sign Face.** That part of a sign structure which is used to graphically communicate a message or announcement.

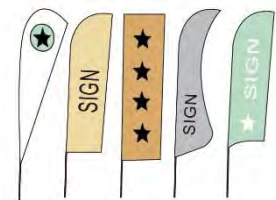
**(B) Sign Definitions, Sign Types.** The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:

— **Banner Sign.** A sign made of natural or synthetic fabric; however, not including pennants or flags, that is not attached to a flagpole

**(1)**

- (2) **Entrance Way Sign.** A sign located near the public entrance of a permitted development.
- (3) **Electronic Message Sign.** Any illuminated sign that pulsates, flashes, scrolls, fades, dissolves, osculates, spins, twirls, sequentially reflectorizes, or contains any other type of motion, including electronic messaging or video.

(4) **Feather Flags.** A free-standing, vertical banner sign constructed of flexible material and supported by a single pole or staff, typically shaped with a curved or tapered edge that resembles a feather.



**Feather Flags**

- (7) **Flags.** A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached to a permanent conforming pole or attached flat to a wall.
- (8) **Ground Monument Sign.** A base-mounted, freestanding sign placed in the ground and not attached to any building or other structure.
- (9) **Ground Pole Sign.** A freestanding sign supported by 1 or more uprights, poles, braces or some other structure, placed in the ground surface and not attached to any building.

- (10) **Illuminated Sign.** A sign that utilizes artificial light internally or externally by either emission or reflection.
- (11) **Incidental Sign.** A small sign, designed and located to be read only by people within the site and generally not visible or legible from the right-of-way or adjacent properties, intended to be used by people on-site. Such signs include traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices, or similar signs providing information to be read at close proximity.
- (12) **Inflatable Balloon Signs.** A sign or component of a sign that is supported by one or more air chambers that may be sealed or kept inflated by blowers. The phrase includes, but is not limited to balloons, tubes in motion, and inflatable sign structures.
- (13) **Ingress/Egress Sign.** A small sign located adjacent to the entrance or exit drives of a development, located nearby to points of vehicular ingress and egress, as well as other circulation elements within the site.
- (14) **Marquee, Canopy, Awning Sign.** A sign attached to a marquee, canopy, or awning projecting from the building.

- (15) **Pennant Sign.** A small, often triangular, tapering flag used in multiples as a device to call attention.



**Pennant Sign**

- (16) **Portable Message Sign.** A freestanding sign not permanently anchored or secured to the ground, including trailers or similarly mounted signs, signs on parked vehicles where the sign is the primary use of the vehicle or wheeled object, and signs on vehicles which because of the vehicle's placement and regularity of position serves the same purpose as a "Portable Message Sign." "Portable Message Signs" do not include customary signs located on vehicles that are operating lawfully or parked in a manner where the vehicle does not serve the same purpose as a "Portable Message Sign."



**Portable Message Sign**

A freestanding sign not permanently anchored, including trailer-mounted signs and vehicles or objects used primarily as signage.



**Not a Portable Message Sign**

Customary signage on vehicles that are lawfully operating or normally parked

### **Portable Message Sign**

- (17) **Sandwich Board Sign.** A portable sign, not affixed to the ground, with two sides arranged in an “A-Frame” or triangle such that they meet at the top.
- (18) **Roof Sign.** Any sign which is on or attached to the roof of a building.
- (19) **Wall Sign.** A sign which is attached directly to, painted upon, or inscribed on a building wall.
- (20) **Window Sign.** A sign that is painted on or attached to a window or glass door and is intended to be viewed from outside, including signs located inside a building but visible primarily from the outside of the building.

~~(21)~~

**(C) Sign Definitions, Sign Types Based on Location and Duration.**

**(1) Sign, Off-Premises.** A permanent or temporary sign that is located off of the premises of the owner or operator of the sign, or off the premises of the operation with which it is associated for commercial and noncommercial purposes. Sign, Off-Premises includes:

- (a) Sign, Permanent Off-Premises.** A sign designed to be permanently affixed to the ground, wall, or roof. Off-Premises Signs may only be placed or erected with permission the lot owner or lessee.
- (b) Sign, Temporary Off-Premises.** A sign that is not constructed or intended for long term use and that is not permanently attached to a building window or structure. Temporary Off-Premises Signs may only be placed or erected with permission the lot owner or lessee and may only be displayed for a maximum of 30days.
- (c) Sign, Seasonal Off-Premises.** A sign that is constructed in such a manner as to allow its messages and artistic representations to change or be updated but is not permanently attached to the ground or a structure. Seasonal signs shall not be illuminated or electrified in any manner. Seasonal Off-Premises Signs may only be placed or erected with permission the lot owner or lessee and shall only be allowed during the following seasons:
  - (i) Summer Season:** From March 1<sup>st</sup> through October 31<sup>st</sup> and shall be removed by November 8<sup>th</sup> of any given year.
  - (ii) Holiday Season:** From November 15<sup>th</sup> through January 31<sup>st</sup> and shall be removed by February 8<sup>th</sup>.

s

**(2) Sign, On-Premises.** A permanent or temporary Sign that relates to the use or purposes of the real property where the sign is physically located. Sign, On-Premises includes, but are not limited to, the following:

- (a) Sign, Permanent On-Premises.** A sign designed to be permanently affixed to the ground, a wall, or a roof, and intended to advertise, identify, or provide information

about an establishment, business, use, or activity located on the same lot or parcel where the sign is installed.

- (b) **Sign, Temporary On-Premises** A sign that is not constructed or intended for long term use and that is not permanently attached to a building window or structure. Temporary On-Premises Signs may only be placed or erected with permission the lot owner or lessee and may only be displayed for a maximum of 30 days.
- (c) **Sign, Seasonal On-Premises.** A sign that is constructed in such a manner as to allow its messages and artistic representations to change or be updated but is not permanently attached to the ground or a structure. Seasonal signs shall not be illuminated or electrified in any manner. Seasonal On-Premises Signs may only be placed or erected with permission the lot owner or lessee and shall only be allowed during the following seasons:
  - (i) Summer Season: From March 1<sup>st</sup> through October 31<sup>st</sup> and shall be removed by November 8<sup>th</sup> of any given year.
  - (ii) Holiday Season: From November 15<sup>th</sup> through January 31<sup>st</sup> and shall be removed by February 8<sup>th</sup>.
- (d) **Sign, Short-Term “One-Time-Event” On-Premises.** A temporary sign relating to a single event or occurrence not to exceed (5) days in duration.

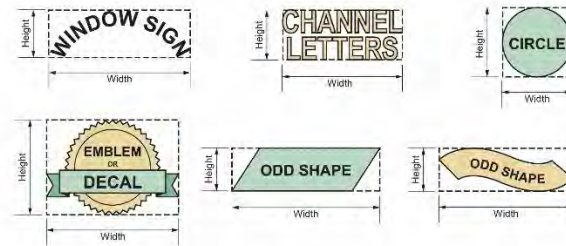
### Section 10.03 Substitution of Content Permitted (NEW SECTION)

Any lawful sign permitted under the provisions of this Ordinance may contain non-commercial content.

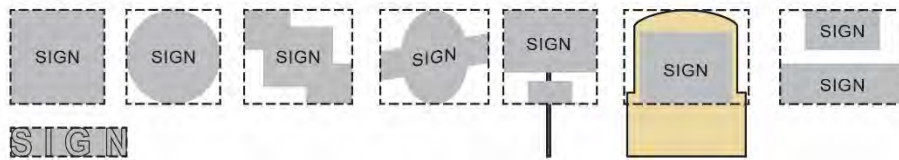
### Section 10.04 Measurement of Sign Area and Height (currently part of Section 7.11.1)

(A) **Sign Area.** Sign area shall be computed as follows:

- (1) **General Requirements.** Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.
- (2) **Individual Letters, Logos, or Irregular Shapes.** For signs made of individual letters, logos, or shapes, the sign area shall be measured by drawing the smallest rectangle that fully encloses all parts of the letters, logo, or message. Irregularly shaped signs shall be measured the same way: by enclosing the outermost points of the sign within the smallest possible rectangle (see illustration below).



Sign Height and Width

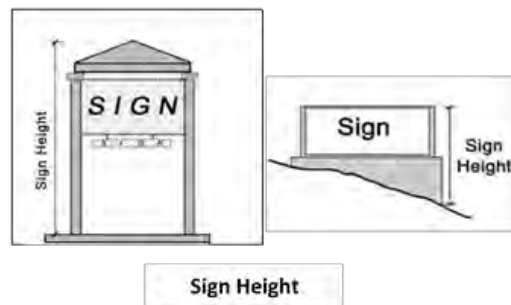


### Computation of Sign Area

- Sign Area
- Computed Sign Area

(3) **Freestanding Sign.** The area of a double-faced freestanding sign shall be computed using only one (1) face of the sign provided that: 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible at any given time.

(B) **Sign Height Measurement.** The height of a sign shall be measured from the lowest grade directly below the sign. The maximum sign height shall be measured to the top of the sign.



(1) **Additional Maximum Height Requirements.** In addition to the maximum height requirements of, the sign height, including support structures, shall not exceed one and one-half times the width of the sign and the support structures shall not extend more than one foot above the sign face.

(C) **Two or More Sides.** A two-sided sign (e.g., V-type sign or double-faced [back-to-back sign]) shall be considered as 1 sign when the angle between the sign faces does not exceed 15 degrees nor does the distance between the backs of each face exceed 3 feet.

## Section 10.05 Sign Placement and Design Requirements (currently part of Section 7.11.1)

All signs shall conform with this Article and all other provisions of this Ordinance.

(A) **On-Premises Location.** All signs shall be located on the same premises as the associated use, except for permitted Off-Premises signs as defined in Section 10.02 and regulated in Section 10.07-10.09.

(B) **Alterations, Repair, and Message Changes.** No sign shall be constructed, erected, moved, enlarged, illuminated, or substantially altered unless authorized in accordance with this Ordinance. Repainting or changing the message of a sign in accordance with this Ordinance shall not be considered a substantial alteration.

(C) **Wall Signs.** Wall signs shall meet the following requirements:

- (1) The sign does not project more than 12 inches from the building wall;
- (2) The exposed face of the sign is in a plane parallel to the building wall or structure; and
- (3) The sign does not extend above the height of the building or wall.

(D) **Flags**

—Each lot may display up to six (6) flags, not to exceed 150 square feet total. ~~No more than one (1) flag may be attached to the principal building. No more than two (2) flags may be displayed per freestanding flagpole.~~

(1)

(2) For all flags, if the flags hang over a sidewalk or other pedestrian walkway, the bottom of the flag shall be no less than seven (7') feet from grade directly below the flag.

(3) For all flags, any illumination shall comply with the lighting section of this ordinance and shall not shine into neighboring structures, onto other signs, or have a light source that is visible from the public right-of-way.

~~(4) All freestanding flagpoles must receive a zoning permit from the Zoning Administrator prior to installation. Applications shall specify the proposed location, setback, and height of the freestanding flagpole as well as any additional information requested by the Township to determine compliance with the Township Code.~~ Freestanding flagpoles shall not exceed a height of twenty-five (25) feet or the maximum height of structures within the underlying zoning district, whichever is less. ~~Freestanding flagpoles must be set back at least ten (10) feet from all property lines.~~

**(E) Sandwich Board Signs.**

- (1) Stability and Safety. All sandwich board signs shall be of sufficient weight, ballast, or construction to remain upright under normal wind conditions and shall not pose a hazard to pedestrians, bicyclists, or motorists.
- (2) Portability. Sandwich board signs shall not be permanently affixed to the ground or any structure and shall be removed when the associated business is closed.
- (3) Placement. Sandwich Board Signs shall be placed within 5 feet of a paved parking lot, building, or driveway entirely on private property and shall not be placed within a public right-of-way, sidewalk, or pedestrian travel path.

**(F) Materials.** Materials, supports, frames, letters, and sign surfaces may be any commonly used material, however, the use of natural or natural appearing materials is required along M-37 and highly encouraged elsewhere in the township.

**(G) Freestanding Sign Width.** The sign width, including supporting structures and base, shall not be more than 1.5 times the width of the sign face alone.

**(H) Location Relative to Right-of-Way and Property Lines.**

- (1) No sign shall be located within or project into a public right-of-way. Signs may be located up to the right-of-way line but shall not encroach upon, hang over, or otherwise extend into the right-of-way.
- (2) All signs shall comply with the clear vision area requirements of Section 7.09. No sign shall be located within a required clear vision area except as expressly permitted by that section.

**(I) Maintenance.** Signs shall be properly maintained, including keeping the sign secured and/or anchored, and replacing or repairing materials that are faded, discolored, torn, or deteriorated.

**(J) Review by Zoning Administrator, Planning Commission, and Township Board.** All plans for construction, design, and appearance of signs associated with a development for which site plan review is required shall be reviewed by the Planning Commission and Township Board as part of the site plan approval process. Changes to existing signs shall be reviewed by the Zoning Administrator in accordance with this Ordinance. In addition to any other consideration, the Zoning Administrator, Planning Commission, and/or Township Board, as applicable, shall consider the following content-neutral provisions in reviewing and approving signs:

- (1) Compatibility of the sign with the character of the neighborhood;

- (2) The sign does not unreasonably block views from other properties;
  - (3) Materials and colors used are natural looking and consistent with surrounding structures in the vicinity, and with the intent of the Ordinance; and
  - (4) Where the Zoning Administrator, Planning Commission, or Township Board has discretion on the number and location of certain signs, the number and location of signs shall be reasonably necessary to meet the intent of this Ordinance.
- (K) Signs approved in association with a Special Use Permit.** In approving a Special Use Permit, the Township Board may approve any or all signs allowed in this Ordinance provided that the approved signs meet the following content-neutral provisions:
- (1) Are related to an approved use in the Special Use Permit;
  - (2) The design, size, setback and lighting are shown on a scale drawing;
  - (3) The number and location of all signs is reasonably necessary to meet the intent of this Ordinance.

**Section 10.06 Prohibited Signs (currently Section 7.11.2 and parts of Section 7.11.1)**

The following signs shall be prohibited in the township unless explicitly permitted elsewhere in this Ordinance:

- (A) Signs that are illegal under applicable Federal, State, or local laws, regulations and/or ordinance.
- (B) Signs that are not clean and in good repair or that have become unsafe or not secure.
- (C) Signs that violate the building code or electrical code.
- (D) Signs not securely fastened to a substantial structure.
- (E) Signs that interfere with or resemble any official traffic sign, signal, or device.
- (F) Signs deemed hazardous or dangerous by the local road agency or public safety department.
- (G) Signs that do not comply with the standards in this Ordinance.
- (H) Electronic Message Signs.
- (I) Portable Message Signs or signs utilizing vehicles, trucks, vans, or other wheeled devices.
- (J) Roof Signs.
- (K) Pennant Signs.

~~(K)~~

- (L) Inflatable Balloon Signs.
- (M) Any sign that revolves, rotates, moves, or is animated.
- (N) Signs with automated changes in sign appearance.
- (O) Pennants, streamers, festoons, and airborne or air-activated devices attached to the ground or buildings except where otherwise specifically permitted by this Ordinance.

~~(P)~~ Tripods or sandwich boards

~~(P)~~

- (Q) Automated changeable message boards.
- (R) Wall signs extending perpendicularly from a building wall.
- (S) Signs within a road right-of-way except traffic direction and control signs placed by the County Road Commission or Michigan Department of Transportation.
- (T) Signs attached to trees and other vegetation.
- (U) Signs attached to utility structures or poles, including light poles, except by the utility company.
- (V) Signs located in a Clear Vision Area unless permitted in Section 7.09.
- (W) Signs attached to street furniture, such as benches and trash cans.
- (X) Projected image signs.

### Section 10.07 Signs Permitted in All Districts (currently Section 7.11.3)

The following signs shall be allowed in all zoning districts ([Section 10.07](#) and [Section 10.08](#) may apply):

- (A) Memorial/Historical Markers when the site is recognized for its historical significance by a Federal or State agency.
- (B) All signage required to be posted by a Township, County, State, or Federal ordinance, law, or order, including, but not limited to, the address of the building. Such signs shall not exceed four square feet unless they are explicitly required to be larger.
- (C) Official signs of a non-commercial nature erected by a public utility.
- (D) Public notice signs placed by public agencies.

- (E) Signs placed by any governmental agency for traffic control in accordance with the Michigan Manual of Uniform Traffic Control Devices.
- (F) Incidental Signs. See [Section 10.02\(B\)\(11\)](#).
- (G) Flags as allowed under Section 10.05(D).

**Section 10.08 Sign Regulations for Specific Zoning Districts (currently Sections 7.11.4 – 7.11.6, including part of Table 7.11.6)**

**(A) Signs Permitted in the A-1 Agricultural District.** In addition to the signs permitted in [Section 10.07](#), the following signs shall be permitted in the Agricultural District:

Sign Type		Maximum Number	Maximum Area	Maximum Height	Illumination	Permit Required?
<b>On-Premises</b>						
<b>Short Term</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Temporary</b>		6 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		No limit	20 sq. ft. total	8 ft.	No	No/Yes
<b>Feather Flag</b>		1 per lot	20 sq. ft. each	8 ft.	No	No
<b>Permanent</b>	Entranceway Sign	1 per building	9 sq. ft. each	6 ft.	Yes	Yes
	Wall Sign	1 per building	30 sq. ft. each	N/A	Yes	Yes
	Ingress/Egress	2 per lot	2 sq. ft. each	3 ft.	Yes	Yes
	Incidental	No limit	2 sq. ft. each	6 ft.	Yes	Yes
	Ground Pole	1 per lot	20 sq. ft. each	8 ft.	Yes	Yes
	Ground Monument	1 per lot	20 sq. ft. each	8 ft.	Yes	Yes
	Window	1 per window	3 sq. ft. each	N/A	No	No
<b>Feather Flag</b>		1 per lot	20 sq. ft. each	8 ft.	No	No
<b>Off-Premises*</b>						
<b>Short Term</b>		Not Permitted				
<b>Temporary</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		No limit	20 sq. ft. total	8 ft.	No	Yes/No
<b>Permanent</b>		Not Permitted				

**(B) Signs Permitted in the C-1 Commercial District.** In addition to the signs permitted in [Section 10.07](#), the following signs shall be permitted in the Commercial District:

Sign Type	Maximum Number	Maximum Area	Maximum Height	Illumination	Permit Required?
<b>On-Premises</b>					

<b>Short Term</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Temporary</b>		6 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		Not Permitted				
<b>Feather Flag</b>		1 per lot	20 sq. ft. each	8 ft.	No	No
<b>Permanent</b>	Entranceway Sign	1 per building	9 sq. ft. each	6 ft.	Yes	Yes
	Wall Sign	1 per building	30 sq. ft. each	N/A	Yes	Yes
	Ingress/Egress	1 per lot	2 sq. ft. each	3 ft.	Yes	Yes
	Incidental	No limit	2 sq. ft. each	6 ft.	Yes	Yes
	Ground Pole	1 per lot Not Permitted	-30 sq. ft. each	-10 ft.	-Yes	-Yes
	Ground Monument	1 per lot	30 sq. ft. each	10 ft.	Yes	Yes
<b>Window</b>		1 per window	3 sq. ft. each	N/A	No	No
<b>Off-Premises*</b>						
<b>Short Term</b>		Not Permitted				
<b>Temporary</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		No limit	20 sq. ft. total	8 ft.	No	No/Yes
<b>Permanent</b>		Not Permitted				

(C) **Signs Permitted in the R-1 Residential Districts.** In addition to the signs permitted in [Section 10.07](#), the following signs shall be permitted in the R-1 Districts:

Sign Type		Maximum Number	Maximum Area	Maximum Height	Illumination	Permit Required?
<b>On-Premises</b>						
<b>Short Term</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Temporary</b>		6 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		Not Permitted				
<b>Feather Flag</b>		Not Permitted				
<b>Permanent</b>	Entranceway Sign	1 per building	9 sq. ft. each	6 ft.	Yes	Yes
	Wall Sign or Freestanding Sign	1 per building	6 sq. ft. each	N/A	Yes	Yes
	Ingress/Egress	1 per lot	2 sq. ft. each	3 ft.	Yes	Yes
	Incidental	No limit	2 sq. ft. each	6 ft.	Yes	Yes
	Ground Pole	Not Permitted				
	Ground Monument	Not Permitted				
<b>Window</b>		Not Permitted				
<b>Off-Premises*</b>						
<b>Short Term</b>		Not Permitted				
<b>Temporary</b>		1 per lot	6 sq. ft. each	4 ft.	No	No
<b>Seasonal</b>		Not Permitted				
<b>Permanent</b>		Not Permitted				

\*Requires permission letter indicating approval of sign details and location from landowner

Section 10.09 Illumination Standards (currently part of Section 7.14.3(5) and part of Section 7.11.1)

- (A) **General Lighting.** If illumination is allowed by this Ordinance, such illumination shall conform to the requirements of Section 7.14, Exterior Lighting Regulations.
- (B) **Hours of Illumination.** Illuminated signs must be turned off no more than 1 hour after the close of business and may be turned on no earlier than 1 hour before the opening of business except by special permission granted as a condition of site plan approval or special land use approval.
- (C) **External Illumination.** External illumination of signs shall be mounted at the top of the sign or sign structure and be fully shielded;
- (D) **Internal Illumination.** Internally illuminated signs shall have a dark background with lighter-colored translucent (not transparent) lettering, logos, or designs. The maximum luminance level of an internally illuminated sign shall not exceed 0.3 footcandles over ambient light levels measured at the distance specified in Figure 10-1~~Figure 10-1~~. All electronic message center signs and other internally illuminated signs shall be equipped with a photocell and automatic dimmer, and a cut sheet for the sign must be submitted to the Township at the time of permit application showing compliance with these requirements.

**Figure 10-1. Distance for Measurement of Sign Illumination Based on Sign Area**

Area of Internally Illuminated Sign	Distance for Measurement of Sign Illumination from the Sign Face
10 square feet or less	32 feet
Between 10.1 and 15 square feet	39 feet
Between 15.1 and 20 square feet	45 feet
Between 20.1 and 25 square feet	50 feet
Between 25.1 and 30 square feet	55 feet
Greater than 30	= square root of (display area in sq. ft. X 100)

### Section 10.10 Nonconforming Signs (NEW SECTION)

- (A) **Removal of Nonconforming Signs.** If the owner of a sign or the premises on which a sign is located changes the location of a building, property line or sign, or changes the use of the land or building so that any sign on the premises is rendered nonconforming, such sign must be removed or made to conform to this Article.
- (B) **Lawful Existing Signs.** Any sign lawfully existing at the time of adoption of this Article which does not fully comply with all provisions shall be considered a legal non-conforming sign and may be permitted to remain as long as the sign is properly maintained, there is no increase in nonconformity, and the sign is not detrimental to the health, safety, and welfare of the community.
- (C) **Continuance.** A nonconforming sign shall not be:
  - (1) Expanded or changed to another nonconforming sign.
  - (2) Relocated or structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, placement or design of the sign.

- (3) Repaired or re-erected after being damaged if the repair or re-erection of the sign would cost more than 50 percent of the cost of an identical new sign.

**(D) Alteration.**

- (1) General Rule. No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this Article.
- (2) Actions Not Considered Alterations. For the purpose of this Article only, the term “altered” or “reconstructed” shall not include
  - (a) normal maintenance;
  - (b) reduction or maintenance of the existing surface sign area;
  - (c) addition of ornamental molding, frames, trellises or ornamental features or landscaping below the sign’s base;
  - (d) or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters or other embellishments.
- (3) Removal After Use Ends. Nonconforming signs and sign structures shall be removed or made to conform within 90 days of the termination of the use to which they are accessory.

## Section 10.11 Appeals and Variances (currently part of Table 7.11.6)

- (A) Any person aggrieved by any decision, ruling or order may make an appeal to the Zoning Board Appeals in accordance with [Article 5](#) of this Ordinance. Variance from the requirements of this Article shall be required to meet the following conditions:
  - (1) Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions, which cannot be legally and/or practically removed.
  - (2) Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances exist, the ZBA shall consider the width of the road, the number of moving lanes, the volume of traffic, and speed limits.
  - (3) Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
  - (4) Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to: removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.
  - (5) Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.

Date: 04.01.2026  
From: Sara Kopriva, AICP  
To: Peninsula Planning Commission  
Project: Ordinance #209 Short Term Rental Amendment

---

**Action Requested:** Hold public hearing and discussion

**Possible Motion:** Motion to recommend approval of Zoning Ordinance Amendment #209 for short term rentals

---

i  
initiative

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

734.663.2622 ph  
734.663.6759 fx

[www.bria2.com](http://www.bria2.com)

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

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

231.933.8400 ph  
231.944.1709 fx

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

616.585.1295 ph



# Memorandum

**TO:** Peninsula Township Zoning Rewrite Committee  
**FROM:** Christopher Khorey, AICP, Vice President  
 Ethan Senti, Assistant Planner  
**SUBJECT:** **Short Term Rental Amendments**  
**DATE:** February 18, 2026

Below, please find a summary of the proposed changes to the Peninsula Township Zoning Ordinance to clarify and confirm the Township’s ban on renting residential property for fewer than 30 days, in all Zoning Districts.

These amendments do not reflect a change in policy, but are designed to ensure the Ordinance is properly interpreted and can be easily administered.

## NEW DEFINITION OF SHORT TERM RENTAL

The following language will be added to Section 3.2 between the definitions of “Shared Waterfront Ownership” and “Sign”:

**Short Term Rental:** Any non-owner occupied dwelling that is rented, occupied, or used by any person for a period of less than 30 days.

## SECTION 6.2 AMENDMENT

Section 6.2.2 will be amended to remove Subsection e, which currently reads as follows. The text will be moved to Section 7.2.9 instead, to ensure that the ban on occupying a residential property for fewer than 30 days applies in all Zoning Districts.

*e) Rental of Owner-Occupied Dwelling.*

- 1. Intent. This is a clarifying amendment that confirms the determination by the Zoning Board of Appeals on September 9, 1999, that the minimum length of time that a dwelling may be rented and be in conformance with the intent of the ordinance is one month and reaffirmed by the Zoning Board of Appeals on September 11, 2008 as 30 days. This is also to distinguish between rental of a “non-owner-occupied dwelling” and “Bed and Breakfast” which is rental of an owner-occupied dwelling.*
- 2. A property owner may rent a non-owner-occupied dwelling, provided that the minimum length of time that the dwelling may be rented is 30 days.*

## NEW SECTION 7.2.9

This section will incorporate the text that was previously in Section 6.2.2, as well as other text, to clarify the ban applies to all Zoning Districts.



**Section 7.2.9 Short Term Rentals Prohibited**

- (1) *Intent.* This is a clarifying amendment that confirms the determination by the Zoning Board of Appeals on September 9, 1999, that the minimum length of time that a dwelling may be rented and be in conformance with the intent of the ordinance is one month and reaffirmed by the Zoning Board of Appeals on September 11, 2008 as 30 days. This is also to distinguish between rental of a “non-owner-occupied dwelling” and “Bed and Breakfast” which is a rental of an owner-occupied dwelling.
- (2) A property owner may rent a non-owner-occupied dwelling, provided that the minimum length of time that the dwelling may be rented is 30 days. This limitation shall apply in all Zoning Districts.
- (3) A property owner may not advertise in any manner a non-owner occupied dwelling is available for rent, for use, or for occupancy for less than 30 days.
- (4) This Section shall not constitute a Township-wide ban on any legal land use, but shall be interpreted only to regulate the minimum length of time for which a legal residential use can be rented to a non-owner of the property.



# Memorandum

**TO:** Peninsula Township Zoning Ordinance Rewrite Committee

**FROM:** **Christopher Khorey, AICP**  
Ethan Senti, Assistant Planner

**SUBJECT:** **Special Use Process Amendment Revisions as requested by Planning Commission**

**DATE:** December 3, 2025

This memo summarizes recommended amendments to the draft Special Use Permit ordinance based on Planning Commission feedback. The full revised draft ordinance text is attached.

## REVISIONS MADE

1. **Removal of the phrase “substantial improvement to the community” from Section 8.1.3 (Basis for Determination).** Planning Commissioners noted that this phrasing introduces an undesirable subjective element to the criteria. The sentence has been revised to objectively focus on mitigation of impacts associated with a proposed special use.
2. **Deletion of the criterion stating that a Special Use Permit must “not materially diminish the economic value of adjacent properties or the community as a whole” from Section 8.1.3 (Basis for Determinations).** This criterion was considered overly subjective and difficult to apply consistently. Subsequent criteria have been renumbered.
3. **Clarification that protections apply to both existing natural areas and existing landscaped plantings.** Section 8.1.3 has been amended to ensure that review criteria consider the preservation of natural resources as well as existing vegetation and planted site features. A parallel update was made within the minor amendment criteria in the SUP amendment process to ensure consistency.
4. **Temporary removal of the Use Table.** The table will be corrected and fully integrated into the district-specific standards during the ordinance reorganization process.

## ITEMS REQUIRING FURTHER DISCUSSION

5. **Under the current draft, an amendment may not increase the footprint or height of any existing or proposed building or structure to be considered minor.** The Planning Commission expressed mixed views on whether small accessory structures should ever qualify as minor amendments. While no change to the criteria was recommended at this time, the Zoning Rewrite Committee should further examine whether certain accessory-structure modifications should be treated as minor.

Ordinance\_\_\_\_\_.

An ordinance to amend Article VIII: USES AUTHORIZED BY SPECIAL USE PERMIT of the PT Zoning Code to clarify the intent of using Special Use Permits (SUP), AND add a reference to uses requiring approval of a Special Use Permit AND amend Section 8.1.2(3)(a) to require review by the Planning Commission and a recommendation from that Body to the Township Board AND amend Section 8.1.3(3)(f) Final Approval and Conditions to clarify the circumstances under which conditions may be imposed on the SUP, AND amend Section 8.1.3 Basis for Determinations to add additional general standards and renumber accordingly, AND to add a new Section\_\_\_\_\_creating a process for amending an existing SUP, AND adding definitions to the Zoning Code as appropriate.

ARTICLE VIII: USES AUTHORIZED BY SPECIAL USE PERMIT

SECTION 8.1 GENERAL STANDARDS AND REQUIREMENTS:

~~Section 8.1.1 Intent and Purpose: Rather than permitting all of the many and varied land use activities within individual and limited zoning districts, this Ordinance intends to provide a set of procedures and standards for specific uses of land or structures that will allow, on one hand, practical latitude for the investor or developer, but that will at the same time, maintain sound provisions for the protection of the health, safety, convenience, and general welfare of Township inhabitants. To provide controllable and reasonable flexibility, this Article permits a detailed review of certain specified types of land use activities which, because of their particular and unique characteristics may be authorized within certain zone districts by the issuance of a special use permit. By such a procedure, safeguards upon each use which are deemed necessary for the protection of the public welfare, may be reviewed and the standards set forth within the Ordinance shall be considered and determined by the Township Board upon recommendation by the Planning Commission before issuing such special use permits. The following Sections, together with previous references in other Articles of this Ordinance, designate specific uses that require a special use permit and in addition, specify the procedures and standards which must be met before such permit can be issued.~~

This section establishes a process and standards to approve certain uses of land or structures that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right. These uses may be permitted through the issuance of a Special Use Permit (SUP) after ensuring that the proposed use is consistent with the Master Plan and complies with the SUP approval criteria. No inherent right exists to receive a SUP. Such authorization must be approved under a specific set of circumstances and conditions. Each application and situation is unique and may be subject to specific requirements to mitigate the impacts of the proposed use.

The table below shows the land uses requiring Special Use in the Township’s Zoning Districts:

Commented [ES1]: Item 4

- P=Permitted by Right without Specific Standards
- P\* = Permitted by Right with Specific Standards
- SC= Permitted with Special Conditions
- SU = Permitted by Special Use Permit
- ZBA = Permitted by ZBA Approval
- Blank = Not Permitted

<u>Use</u>	<u>A-1</u>	<u>R-1A</u>	<u>R-1B</u>	<u>R-1C</u>	<u>R-1D</u>	<u>C-1</u>
<u>Accessory Buildings/Customary Incidental Buildings</u>	<u>P</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<u>Adult Foster Care Facilities</u>	<u>SU</u>					

Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1
<a href="#">Agricultural Labor Camp, Unlicensed, &lt;5 Residents</a>	<u>P</u>					
<a href="#">Agricultural Labor Camp, Licensed</a>	<u>P</u>					
<a href="#">Airports and Airfields</a>	<u>SU</u>					
<a href="#">Animals: Keeping of Domestic Pets</a>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">Animals: Keeping of Small Animals (Poultry, Rabbits, Goats)</a>	<u>P</u>					
<a href="#">Animals: Keeping of Livestock (Cattle, Hogs, Horses, Sheep, and Similar)</a>	<u>P</u>					
<a href="#">Animals: Raising of Fur Bearing Animals for Profit</a>	<u>SU</u>					
<a href="#">Barn Storage</a>	<u>P*</u>					
<a href="#">Bed and Breakfast Establishments</a>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Boat Hoists and Docks</a>		<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Cemeteries, Public or Private</a>	<u>P</u>					
<a href="#">Conservation Areas, Public or Private</a>	<u>P</u>					
<a href="#">Day Care Homes, Family</a>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Day Care Homes, Group</a>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Decks and Storage</a>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Dwellings, Single Family</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">Dwellings, Two Family</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">Dwellings, Temporary</a>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	
<a href="#">Day Care Homes, Family</a>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Day Care Homes, Group</a>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Entertainment (accessory to a Retail Farm Processing Facility)</a>						
<a href="#">Farm Processing Facility, Retail, with Indoor Sales</a>	<u>SU</u>					
<a href="#">Farm Processing Facility, Retail, with Indoor Sales and Outdoor Seating Area</a>	<u>SU</u>					
<a href="#">Farm Processing Facility, Wholesale</a>	<u>P*</u>					
<a href="#">Farm Stand</a>	<u>P*</u>					
<a href="#">Food Processing Plant</a>	<u>SU</u>					
<a href="#">General Farming and Horticultural Uses/Field Crop and Farming/Active Production/Farm Operation</a>	<u>P</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Golf Courses and Country Clubs</a>	<u>SU</u>		<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Greenhouses and Nurseries</a>	<u>SU</u>					
<a href="#">Guest House</a>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Home Occupations</a>	<u>P</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	
<a href="#">Hotels, Motels, and Tourist Courts</a>						<u>SU</u>
<a href="#">Institutional Structures and Uses</a>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Incinerators</a>	<u>SU</u>					
<a href="#">Livestock Auction Yards</a>	<u>SU</u>					
<a href="#">Marinas</a>						<u>SU</u>
<a href="#">Mining and Removal of Topsoil</a>	<u>P*</u>					
<a href="#">Mobile Homes (Outside of Mobile Homes Parks)</a>	<u>P*</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Mobile Home Park Developments</a>					<u>SU</u>	
<a href="#">Outdoor Storage</a>	<u>P*</u>					<u>P*</u>
<a href="#">Planned Unit Development</a>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Public Buildings</a>	<u>SU</u>					
<a href="#">Public Recreation/Public Areas and Public Parks</a>	<u>P*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">Recreational Unit Park</a>	<u>SU</u>					
<a href="#">Rental of Non-Owner Occupied Dwelling</a>		<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	
<a href="#">Retail Stores and Shops (includes Restaurants and Offices)</a>						<u>SU</u>
<a href="#">Riding Stables</a>	<u>SU</u>					
<a href="#">Sanitary Fills, Sewage Treatment, and Disposal Installation</a>	<u>SU</u>					
<a href="#">Self-Service Storage Facility</a>						<u>SU</u>
<a href="#">Solar Energy Systems, Accessory Roof Mounted</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<a href="#">Solar Energy Systems, Accessory Ground Mounted, &lt;10 kW</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<a href="#">Solar Energy Systems, Accessory Ground Mounted, 10-30 kW</a>	<u>P</u>					
<a href="#">Solar Energy Systems, Principal Ground Mounted, 10-30 kW</a>	<u>SU</u>					
<a href="#">Solar Energy Systems, Accessory Ground Mounted, &gt;30 kW</a>	<u>SU</u>					
<a href="#">Special Open Spaces</a>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<a href="#">Storage for Agricultural Products</a>	<u>SU</u>					
<a href="#">Storage of Trailer Units</a>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">Tasting Room, Remote</a>	<u>SU</u>					
<a href="#">Temporary Buildings</a>		<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	

Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1
<u>Tenant House for Farm Employees</u>	<u>P-1</u>					
<u>Veterinary Hospitals, Clinics, and Kennels</u>	<u>SU</u>					
<u>Warehousing and Light Industrial</u>	<u>SU</u>					
<u>Wind Energy Conversion Systems</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>
<u>Wireless Telecommunication Antenna Towers</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>

Section 8.1.2 Permit Procedures:

An application for a special use permit for any land or structure use permitted under this Article shall be submitted and processed under the following procedures:

(1) Submission of Application: Any application shall be submitted through the Zoning Administrator on a special form for that purpose. Each application shall be accompanied by the payment of a fee as established by the Township Board to cover the costs of processing the application. No part of any fee shall be refundable.

(2) Data Required: Every application shall be accompanied by the following information and data:

(a) The special form supplied by the Township Zoning Administrator filled out in full by the applicant, including a statement of supporting evidence showing compliance with the requirements of Section 8.1.3.

(b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.

(c) Preliminary plans and specifications of the proposed development.

(3) Township Board and Planning Commission Actions:

(a) The application along with all required data shall be transmitted to the Township Board for consideration after referral to ~~a study by~~ the Planning Commission for review and recommendation to the Township Board.

(b) The Planning Commission ~~may shall~~ shall hold a public hearing on the application, except in the case of a requested amendment to a previously approved SUP if the proposed amendment is determined to be "Minor" under the criteria listed in Section 8.1.4.

(c) Upon receipt of a recommendation from the Planning Commission, the Township Board shall publish in a newspaper having a general circulation in the Township, one (1) notice that a request for special land use approval has been received.

1. The content of the notice shall:

(1) Describe the nature of the special land use request.

(2) Indicate the property which is the subject of the special land use request.

(3) State when and where the special land use request will be considered.

(4) Indicate when and where written comments will be received concerning the request.

(5) Indicate that a public hearing on the special land use request may be requested by the property owner or the occupant of any structure located within three hundred (300) feet of the boundary of the property being considered for a special use.

2. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered.

3. The notice shall be delivered personally or by mail to:

i. The owners of property for which approval is being considered.

ii. All persons to whom real property is assessed within three hundred (300) feet of the boundary in question.

iii. The occupants of all structures within three hundred (300) feet of the boundary of the property in question. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure; except that, if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organization, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

(d) A public hearing on a special land use request shall be held by the Township Board if:

1. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.

2. The decision on the special land use request is based on discretionary grounds.

(e) Notification of a public hearing on a special land use request must be made as required in this Section for a notice of a request for special land use approval.

(f) Final Approval & Conditions.

1. Final approval by the Township Board shall be preceded by a finding and determination with respect to compliance with the regulations set forth in this Article.

2. Reasonable conditions may be required with the approval of a special use permit, ~~to the extent authorized by law, for the purpose of insuring that~~ planned unit development, or other land uses or activities permitted by discretionary decision to the extent authorized by law. Conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of Article 8 128 accommodating increased services and facility loads caused by the land use or activity, to protecting the natural environment and ~~conserving~~ conserve natural resources and energy, ~~insuring to ensure~~ compatibility with adjacent uses of land, and ~~promoting~~ to promote the use of land in a socially and economically desirable manner.

3. Conditions imposed shall be designed to protect natural resources and the public health, safety and welfare of individuals in the project and those immediately adjacent, and the community as a whole, shall be reasonably related to the purpose affected by the special use permit, and shall be necessary to meet the intent and purpose of this Ordinance, and be related to the objective of insuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved special use permit. (REVISED BY AMENDMENT 96A)

(4) Phasing.

(a) Where a project is proposed for development in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.

(b) The Township Board shall approve the final project for one phase at a time. (ADDED BY AMENDMENT 96C)

(5) Commencement and Completion.

(a) For special use permits not involving construction, a land use permit for the use shall be acquired within one year following final approval of the special use permit, or within one year of the schedule established for the project in the approved special use permit whichever is later. If a land use permit is not received within such time, any approval of the special use shall expire and be null and void, provided, an extension for a specified period may be granted by the Township Board upon good cause shown if such request is made to the Township Board prior to the expiration of the initial period.

(b) For special use permits involving construction, such construction shall be commenced

within one year following final approval of the special use permit, or within one year of the schedule established for the project in the approved special use permit whichever is later.

(c) Each phase of the project shall be commenced within one year of the schedule established for the project phase in the approved special use permit. For special use permits involving construction, if such construction is not commenced within such time, any approval of the final plan for the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Township Board upon good cause shown if such request is made to the Township Board prior to the expiration of the initial period.

(d) An occupancy permit shall be received within one year of approval of a land use permit for any construction authorized by special use permit. If an occupancy permit is not received within such time, any approval of the final plan for the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Township Board upon good cause shown if such request is made to the Township Board prior to the expiration of the initial period.

(e) In the event a final plan has expired, a new application shall be required, and shall be reviewed in light of the then existing and applicable law and ordinance provisions. (ADDED BY AMENDMENT 96C)

(6) Effect of Approval. If and when approved, the special use permit, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such amendment. (ADDED BY AMENDMENT 96C)

### Section 8.1.3 Basis for Determinations:

Before making recommendation on a special use permit application to the Township Board, the Planning Commission shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

(1) General Standards: The Township Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

(a) Be consistent with the Township Master Plan.

~~(a)~~(b) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which the use is proposed.

~~(b) Be a substantial improvement to property in the immediate vicinity and to the community~~

Commented [ES2]: Item 1

~~as a whole.~~

(c) Be designed to protect the existing natural topography and natural resources, such as waterfronts, wetlands, woodlands, steep slopes, viewsheds, watersheds, and prime farmland, as well as existing landscaped plantings.

Commented [ES3]: Item 3

(d) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.

~~(e) Not adversely affect or be hazardous or disturbing to existing or future uses in the same general vicinity. Not adversely affect or be hazardous or disturbing to existing or future uses in the same general vicinity, and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.~~

Commented [ES4]: Item 1

(e) Not materially diminish the privacy, safety, security, or enjoyment of any residential dwelling or residential neighborhood in the vicinity of the proposed use.

~~(f) Not materially diminish the economic value of adjacent properties or the community as a whole.~~

Commented [ES5]: Item 2

~~(e)(f)~~ Not create excessive additional requirements at public cost for public facilities and services.

~~(h)(g)~~ Not involve uses, activities, processes, materials, and equipment or conditions of operation that will adversely affect or be detrimental to any persons, property, or the general welfare by dust, smoke, fumes, glare, or odors, excessive traffic, noise, vibration, visual clutter, or electrical or electromagnetic interference. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

(2) Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

### Section 8.1.3 Amendments to Special Use Permits

Applicants desiring to amend an approved SUP shall follow the permit procedures in Section 8.1.2, unless the amendment is considered minor as described in this Section. Once received, the Planner shall review the application and make a determination as to whether a proposed amendment constitutes a Major or Minor amendment to the original special use permit, based on the following process and criteria.

(1) Minor amendments. If the Planner determines an amendment is minor, based on the Criteria in Subsection 2, the proposed amendment shall be brought before the Planning Commission for their review and concurrence that the amendment is in fact minor. If the Planning Commission concurs that the amendment is "minor", then the Planning Commission may approve or reject the

amendment at the same meeting. No public hearing or final approval by the Township Board shall be required.

(2) An amendment shall be considered minor only if all of the following are true:

- (a) The amendment does not alter the use, site features, or physical layout of the site in a way that violates the applicable standards and requirements of this Ordinance.
- (b) The amendment does not seek to alter any conditions imposed as part of the original approval.
- (c) The amendment will have the same or lesser impact on neighboring properties, as compared to the originally approved design.
- (d) The amendment will not increase the footprint or height of any existing or proposed building or structure.
- (e) The amendment will not result in an increase in the number of parking spaces.
- (f) The amendment will not result in a decrease in the ~~number~~ quantity or quality of existing natural areas or ~~of~~ landscape plantings.
- (g) The amendment will not remove any land from active agricultural production, compared to the original approval.

**Commented [ES6]:** Item 5

**Commented [ES7]:** Item 3

(3) Any amendment not considered minor by the Planning Commission shall be considered major and shall be subject to the full approval process described Section 8.1.2. The Planning Commission and/or the Township Board may impose new conditions on the approval of a major amendment if such conditions are warranted. The holder of the original site plan approval may reject such additional conditions by withdrawing the request for an amendment and proceeding under the original approval.