Peninsula Township
Planning Commission Rescheduled Regular Meeting
Shaina LaFond, Recording Secretary

PENINSULA TOWNSHIP

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

Planning Commission
Regular Meeting
May 7, 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, Hornberger, Shanafelt, Shipman; **Absent/Excused:** Hall; **Staff Present:** Sara Kopriva, Township Planner of Record
4. **Approve Agenda**

Motion by Shanafelt to approve the agenda as written, seconded by Eckstein. **Motion Passes**

5. **Brief Citizen Comments (for non-agenda items only): none**
6. **Communications:** 1) Acme Township is holding a public hearing on their Master Plan.
7. **Conflict of Interest:** none declared
8. **Approval of Minutes**
   a. **Approval of Meeting Minutes: April 9, 2026**

Motion by Hornberger to approve minutes as amended to reflect Shipman's attendance in place of Hornberger, seconded by Alexander. **Motion Passes**

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

Kopriva recaps Zoning Amendment No. 207, a request to conditionally rezone parcels from R1A and R1C to entirely R1C, including proposed deed restrictions limiting disturbance on slopes greater than 20% and restricting the property to four lots. Explains the rezoning must be evaluated based on all permitted district uses, not solely the proposed development. Discussion: whether the property should remain partially or entirely zoned R1A due to steep slopes and hillside characteristics. Concerns are raised regarding precedent, density, duplex potential, slope stability, stormwater management, vegetation preservation, and enforcement of deed restrictions. PC questions whether similar density could be achieved under R1A zoning.

Applicant Suzanne Schulz presents additional information regarding surrounding zoning, slope protection, stormwater management, lot configuration, driveway access, shoreline limitations, and tree studies. States the proposal attempts to balance development rights with slope and vegetation protections through deed restrictions.
Discussion: regarding future lot splits, shoreline access, and whether future owners could alter vegetation despite restrictions; whether deed restrictions should include replanting requirements or additional setback protections related to steep slopes. Beard explains the PC may only consider voluntary conditions offered by the applicant and cannot impose additional conditions on a conditional rezoning request. Schulz requests the

request be tabled allowing her time to consult with her client about adding an additional condition to the rezoning.

Motion by Shipman to table item, seconded by Shanafelt. **Motion Passes**

b. Zoning Amendment #208 Signage

Discussion: regarding proposed sign ordinance amendments. Kopriva reviews changes from prior drafts and summarizes differences between the current ordinance and the proposed content-neutral language required following recent court decisions. Also: limits on temporary and seasonal signage, clarification of total square footage allowances, and possible impacts on scenic byway standards.

PC discusses terminology revisions involving pedestrian versus non-motorized paths, signs attached to trees, monument and pole sign definitions, incidental signs within farm operations, and the extent to which signs not visible from public rights-of-way should be regulated or require permits. PC also addresses flag poles, illumination standards, dark sky considerations, and placement of sign definitions within the ordinance structure. Focuses on feather flags, seasonal sign timeframes, maintenance standards for deteriorated signage, and concerns that cumulative sign allowances could unintentionally permit excessive signage at farm stands. PC requests additional review and revisions before forwarding the ordinance amendments to the Township Board and notes the recently extended sign enforcement moratorium allows additional time for refinement.

Motion by Hornberger to remove Business Item 9a from the table and return to discussion, seconded by Shipman. **Motion Passes**

Additional proposed conditions offered by applicant incorporating recommendations from the tree and slope studies, including an eight-foot setback from slopes greater than 20%, preservation of vegetation within protected areas, retention of existing stumps for slope stability, and replacement requirements for removed vegetation using native species. The revised language is incorporated into the applicant's formal offer of conditions.

Discussion continues regarding steep slope protections, vegetation preservation, water runoff concerns, and deficiencies within the Township's existing ordinances related to hillside protection. PC members express appreciation for the applicant's willingness to incorporate additional protections and acknowledge the proposal provides greater safeguards than would otherwise exist under current zoning regulations. Concerns are also expressed regarding precedent, future development impacts, and whether slope protections should instead be addressed comprehensively through ordinance amendments rather than individual rezoning requests.

Motion by Shanafelt to recommend approval by the Town Board of the conditional rezoning of parcel ID #28-11-009-029-10 from R1-A/R1-C to R-1C, seconded by Alexander.

Roll Call Vote: Alexander: yes; Beard: yes; Eckstein: no; Hornberger: no; Shipman: yes; Shanafelt: yes;

Motion Passes by Majority Vote

c. Zoning Amendment #209 Short Term Rentals

Kopriva reviews proposed revisions to Zoning Amendment No. 209 regarding short-term rentals, including updated consecutive-day language and definitions used in other communities. Discussion focuses on enforcement concerns raised by ordinance enforcement staff, particularly language prohibiting advertising of short-term rentals. Kopriva explains the Township attorney advises that regulating advertising raises First Amendment concerns and would require additional findings and justification to support enforcement.

Discussion continues regarding difficulties proving violations, documenting rental durations of fewer than 30

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days, and identifying violations through complaints or online advertisements. Consensus is reached to remove the proposed prohibition on advertising from the ordinance amendment while retaining the remaining clarifying language.

Motion by Eckstein to recommend approval by the Town Board of Zoning Amendment No. 209 regarding short-term rentals, as amended, seconded by Shanafelt.
Roll Call Vote: Alexander: yes; Beard: yes; Eckstein: yes; Hornberger: yes; Shipman: yes; Shanafelt: yes;
Motion Passes Unanimously

d. Zoning Amendment #210 Special Use Process

Kopriva explains a clean editable version from McKenna was not available in time for inclusion in the packet, though revisions discussed during the prior month's public hearing continue to be incorporated. PC requests both clean and redlined versions be distributed in advance of the June meeting for further review and editing.

e. Ex Parte Memo/Discussion

Prepared by Township attorney Chris Patterson, the memorandum expands upon prior discussions regarding ex parte communications, including how to identify, avoid, and disclose such communications during PC proceedings. Discussion emphasizes the importance of transparency, disclosure of asymmetrical information, avoidance of conflicts or the appearance of conflicts, and maintaining fair and unbiased decision-making processes. PC members express appreciation for the memorandum and describe it as a useful ethical and procedural resource for current and future Planning Commissioners, as well as other Township officials. Discussion includes the value of compiling similar governance resources into onboarding materials for future members.

10. Reports and Updates - Verbal

- **a. Agricultural Advisory Committee (Beard):** reports on the upcoming agritourism summit, recent committee discussions, and anticipated recommendations regarding farm stays.
- **b. Township Board (Alexander):** updates include recent developments in pending litigation and insurance matters involving the Township.
- **c. Non-Motorized Plan (Shipman):** updates on the non-motorized planning process, public survey participation, and recent public engagement meetings.

11. Brief Public Comments (Please keep comments to 3 minutes or less): none

12. Other Matters or Comments by Planning Commission Members

Discussion turns to PC workload, coordination with advisory committees, and the possibility of scheduling occasional special meetings to address increasing zoning and ordinance revision work. Discussion includes concerns regarding lengthy meetings, staff capacity, improving communication and handoff procedures between committees, and the importance of addressing questions prior to meetings to improve efficiency. Appreciation is expressed for information provided by the Agricultural Advisory Committee regarding signage discussions.

13. Adjournment

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

Meeting adjourned at 9:18 p.m.

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project memorandum

B R i
Beckett&Raeder
Landscape Architecture
Planning, Engineering &
Environmental Services

Date: 05.30.2026

From: Sara (Kopriva) Schroeder, AICP
To: Peninsula Township Planning Commission

Project: June PC Meeting

initiative

Signage Amendment

Attached are changes that were discussed at the last PC meeting as well as some additional suggestions that I have proposed based on my review of the language and administration of signage ordinances.

Special Use Process

Attached is the SUP amendment that allows for minor amendments to not need to go through the whole SUP process. While a minor amendment does not need a public hearing, will the minor amendment need to go to the Township Board or can the PC make the final decision?

Also changed was to clarify the process for review. It provides for the same process but rearranges the language and provides more information on the process for the applicant. This section is highlighted in the draft.

Chickens

The amendment had previously been reviewed at the end of 2025, attached is the most recent draft based on the feedback at the December 2025 PC meeting.

Accessory Dwelling Units

This amendment was previously reviewed by the PC and discussed at the Zoning Rewrite Committee. The attached draft is the most recent draft following discussion by the Rewrite Committee in March.

Small Processors

The Agricultural Advisory Committee has forward an amendment for Small Processors in the Township. This is the first review by the Planning Commission. The Township Board has stated that any uses that involve a MLCC license (liquor license) should not be discussed at this time but use that do not include liquor can be discussed and amendments can be processed.

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

734.663.2622 ph
734.663.6759 fx

Petoskey Office
113 Howard Street
Petoskey, MI 49770

231.347.2523 ph
231.347.2524 fx

Traverse City Office
148 East Front Street
Suite 307
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

www.bria2.com

Meeting Schedule

At the last PC meeting, there was discussion about adding a 2nd meeting date on the calendar so that review of the draft zoning ordinance can occur should the regular meeting have too many agenda items. This meeting would be cancelled should it not be needed.

In addition, while we just set the meeting calendar for the year, based on processing a few applications, it has become apparent that the date is too close to the Township Board meeting to allow application to continue as quickly as possible. The PC may want to consider moving the meeting up a week or two so that applications can move from the PC to the Township Board without an extra month of delay. Please bring your calendar to the meeting so we can discuss the 2 meeting dates.

May 2026 Draft
Peninsula Township

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.

May 2026 Draft
Peninsula Township

~~Section 10.02~~ Definitions ~~(NEW SECTION, which includes existing definitions in Section 3.2 related to signs)~~Replace Sign Definitions in Article 3

The following definitions relate to signs in Peninsula Township.

~~(A)~~(I) **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 that is visible from a road right-of-way or the water.

(2) Sign Face. That part of a sign structure which is used to graphically communicate a message or announcement.

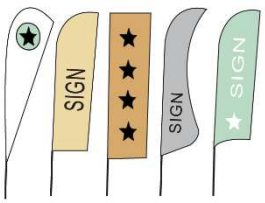
~~(B)~~(J) **Sign Definitions, Sign Types.** The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:

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

(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.~~

~~(10)~~(8) ~~**Ground Pole**~~ **Freestanding 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. May be referred to as a pole sign or monument sign. Freestanding ~~Gound pole~~ signs do not include flag poles.

~~(11)~~(9) **Illuminated Sign.** A sign that utilizes artificial light internally or externally by either emission or reflection.

~~(12)~~(10) **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.

~~(13)~~(11) **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.

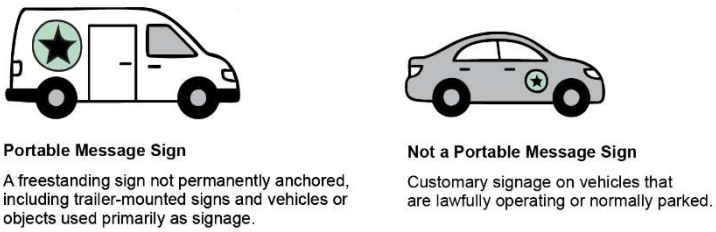
~~(14)~~(12) **Ingress/Egress Sign.** A small sign located adjacent to the entrance or exit drives of a development, located nearby to points of vehicular ingress and egress, as well as other circulation elements within the site.

~~(15)~~(13) **Marquee, Canopy, Awning Sign.** A sign attached to a marquee, canopy, or awning projecting from the building.

~~(16)~~(14) **Pennant Sign.** A small, often triangular, tapering flag used in multiples as a device to call attention.

Pennant Sign

~~(17)~~(15) **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

~~(18)~~(16) **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.

~~(19)~~(17) **Roof Sign.** Any sign which is on or attached to the roof of a building.

~~(20)~~(18) **Wall Sign.** A sign which is attached directly to, painted upon, or inscribed on a building wall.

~~(21)~~(19) **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.

~~(C)~~(K) **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 30 days and shall be removed within 7 days of the conclusion of the event.

(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 1st through October 31st and shall be removed by November 8th of any given year.

(ii) Holiday Season: From November 15th through January 31st and shall be removed by February 8th.

(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 1st through October 31st and shall be removed by November 8th of any given year.

(ii) Holiday Season: From November 15th through January 31st and shall be removed by February 8th.

~~Section 10.03~~Section 10.02 Substitution of Content Permitted (NEW SECTION)

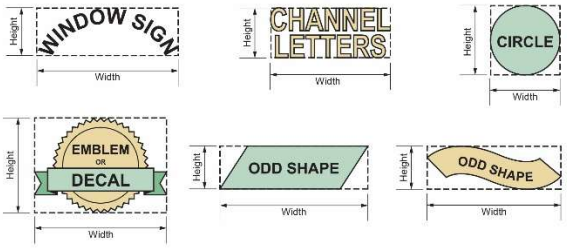
Any lawful sign permitted under the provisions of this Ordinance may contain non-commercial content.

~~Section 10.04~~Section 10.03 Measurement of Sign Area and Height (currently part of Section 7.11.1)

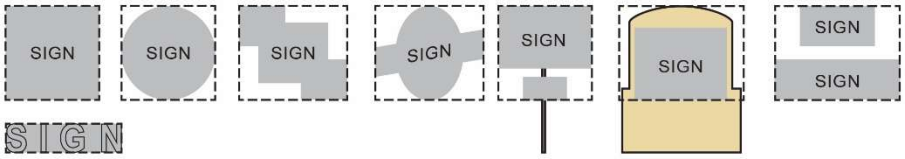
(A) Sign Area. Sign area shall be computed as follows:

(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

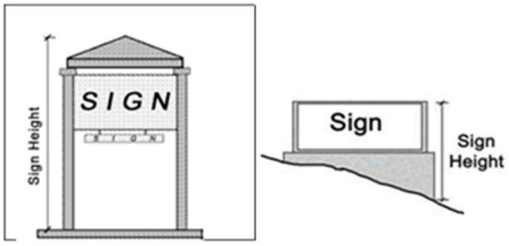


Computation of Sign Area

Sign Area
Computed Sign Area

~~(3)~~(2) **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.



Sign Height

(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~~Section 10.04 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

(1) Each lot may display up to six (6) flags not to exceed 100 square feet total.

(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)** 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.~~

(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.

(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, sidewalk, or pedestrian travel path.

(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~~Section 10.05 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.

(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

(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~~Section 10.06 Signs Permitted in All Districts (currently Section 7.11.3)

The following signs shall be allowed in all zoning districts (*Section 10.06~~Section 10.07~~* and *Section 10.01~~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 10.01(J)(10)~~Section 10.02(B)(11)~~*.

~~(G)~~ Flags as allowed under Section 10.05(D).

(G)

May 2026 Draft
Peninsula Township

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

Section 10.07

(A) Signs Permitted in the A-1 Agricultural District. In addition to the signs permitted in *Section 10.06~~Section 10.07~~*, the following signs shall be permitted in the Agricultural District:

Sign Type		Maximum Number	Maximum Area	Maximum Height	Illumination	Permit Required ?	Time Frame
On-Premises							
Temporary		6 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		No limit	20 sq. ft. total	8 ft.	No	No	Mar 1-Oct-31 & Nov 15 – Jan 31
Feather Flag		1 per lot	20 sq. ft. each	8 ft.	No	No	Mar 1-Oct-31 & Nov 15 – Jan 31
Permanent	Entranceway Sign	1 per ~~building~~development	9 sq. ft. each	6 ft.	Yes	Yes	Perm
	Wall Sign	1 per building	30 sq. ft. each	N/A	Yes	Yes	Perm
	Ingress/Egress	2 per lot	2 sq. ft. each	3 ft.	Yes	Yes	Perm
	~~Ground Pole~~Freestanding	1 per lot	20 sq. ft. each	8 ft.	Yes	Yes	Perm
	Window	1 per window	3 sq. ft. each	N/A	No	No	Perm
Off-Premises*							
Short Term		Not Permitted					--
Temporary		1 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		No limit	20 sq. ft. total	8 ft.	No	No	Mar 1-Oct-31 & Nov 15 – Jan 31
Permanent		Not Permitted					--

(B) Signs Permitted in the C-1 Commercial District. In addition to the signs permitted in *Section 10.06~~Section 10.07~~*, the following signs shall be permitted in the Commercial District:

Sign Type		Maximum Number	Maximum Area	Maximum Height	Illumination	Permit Required ~~?~~	Time Frame
On-Premises							
Temporary		6 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		Not Permitted					--
Feather Flag		1 per lot	20 sq. ft. each	8 ft.	No	No	Mar 1-Oct-31 & Nov 15 – Jan 31
Permanent	Entranceway Sign	1 per development~~b uilding~~	9 sq. ft. each	6 ft.	Yes	Yes	Perm
	Wall Sign	1 per building	30 sq. ft. each	N/A	Yes	Yes	Perm
	Ingress/Egress	1 per lot	2 sq. ft. each	3 ft.	Yes	Yes	Perm
	~~Ground Pole~~Freestanding	1 per lot	30 sq. ft. each	10 ft.	Yes	Yes	Perm
	Window	1 per window	3 sq. ft. each	N/A	No	No	Perm
Off-Premises*							
Short Term		Not Permitted					--
Temporary		1 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		No limit	20 sq. ft. total	8 ft.	No	No	Mar 1-Oct-31 & Nov 15 – Jan 31
Permanent		Not Permitted					--

(C) Signs Permitted in the R-1 Residential Districts. In addition to the signs permitted in *Section 10.06~~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 ~~?~~	Time Frame
On-Premises							
Temporary		6 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		Not Permitted					--
Feather Flag		1 per lot	20 sq. ft. each	8 ft.	No	No	Mar 1-Oct- 31 & Nov 15 – Jan 31
Permanent	Entranceway Sign	1 per development~~bui lding~~	9 sq. ft. each	6 ft.	Yes	Yes	Perm
	Wall Sign ~~or Freestanding Sign~~	1 per building	6 sq. ft. each	N/A	Yes	Yes	Perm
	Ingress/Egress	1 per lot	2 sq. ft. each	3 ft.	Yes	Yes	Perm
	~~Ground Pole~~Freestanding	Not Permitted					--
	Window	Not Permitted					--
Off-Premises*							
Short Term		Not Permitted					--
Temporary		1 per lot	6 sq. ft. each	4 ft.	No	No	30 days
Seasonal		Not Permitted					--
Permanent		Not Permitted					--

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

~~Section 10.09~~Section 10.08 Illumination Standards (currently part of Section 7.14.3(5) and part of Section 7.11.1)

(A) General Lighting. In addition to the Exterior Lighting Requirements of Section XX of this Ordinance, the following regulations shall apply to signs. Should one section be more stringent than the other, the stricter regulation must be complied with. ~~If illumination is allowed by this Ordinance, such illumination shall conform to the requirements and intent 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~~Section 10.09 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~~Section 10.10 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.

05/30/2026
SUP Amendment Draft

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 Boar 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:

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:

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

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) Review Procedure:

(a) The Township Planner shall review the application for completeness in order to determine if the application has been properly submitted and the applicant has corrected all deficiencies. Completeness reviews are solely for the purpose of determining whether the preliminary information required for submission of the application is sufficient to allow further processing and shall not constitute a decision as to whether an application complies with the provisions of this Ordinance.

(b) An application determined to be complete will undergo a technical review by the Planner or Township designee to determine compliance with applicable standards. This review may include distributing the plan to other local agencies or departments with jurisdiction for comment on any problems the plans might pose and shall result in a report submitted to the Planning Commission with the site plan review application. Once the technical review is complete, the application will be placed on the next regularly scheduled Planning Commission meeting.

(c) The Planning Commission shall review the application and if determined that adequate information exists to process the application, shall schedule a public hearing in accordance to the noticing requirements of the Michigan Zoning Enabling Act. If the request is for an amendment to a previously approve special use permit and determined to be “Minor”, a public hearing shall not be required.

(d) Following the public hearing, the Planning Commission shall make a recommendation to the Township Board to approve, approve with conditions, or deny the application after reviewing the basis for determination in this Section.

(e) 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.

(f) 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.

1. Reasonable conditions may be required with the approval of a special use permit, planned unit development, or other land uses or activities permitted by discretionary decision to the extend 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 accommodating increased services and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

2. 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, are satisfied.

(1) General Standards: The Planning Commission and 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.

(b) Be designed, constructed, operated and maintained so as to be harmonious and appropriate 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.

(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.

(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 materially adversely affect or be hazardous or disturbing to existing or future uses in the same general vicinity.

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

(g) Not create excessive additional requirements at public cost for public facilities and services.

(h) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will adversely affect 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.

(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 materially 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 more than 20% of the existing principal building or 1000 sq ft, whichever is less, 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 quantity or quality of existing natural areas or landscape plantings, as compared to the originally approved design.

(g) The amendment will not remove any land from active agricultural production, as compared to the originally approved design.

(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.

MCKENNA

Memorandum

TO: Peninsula Township Planning Commission
FROM: Christopher Khorey, AICP
Ethan Senti
SUBJECT: **Chickens Amendment**
DATE: December 17, 2025

Below, please find draft zoning language to regulate the keeping of Chickens in Peninsula Township. Chickens raised in conformance with the Generally Accepted Agricultural Management Practices (GAAMPs) adopted by the Michigan Department of Agriculture and Rural Development would be exempt from this Ordinance.

CONSISTENCY AMENDMENTS

The following language changes should accompany the main amendment to ensure consistency across the Ordinance.

Section 3.2 Definition of Kennel: Kennel: Any lot or premises used for the sale, boarding, or breeding of dogs or cats. Kennel shall also mean the keeping of five (5) or more dogs or cats over the age of six (6) months.

Section 6.2.2.5 The Keeping of Domestic Pets: Provided that all pets are so maintained as to not constitute a public nuisance and provided further that in the event the same are horses or livestock, then the sheltering structure shall be at least two hundred (200 feet) from any lot line and the pasturing area shall be at least one hundred (100 feet) from any lot line, and both the pasturing area and the sheltering structure shall be at least two hundred (200 feet) from any well or residence. The keeping of chickens must be in conformance with Section 7.2.10.
Section 6.7.2.5: Raising and keeping of pets, including but not limited to, dogs and cats, and other small animals such as poultry, rabbits, and goats. Kennels, as defined in Section 3.2, require a Special Use Permit. The keeping of chickens must be in conformance with Section 7.2.10.

NEW SECTION 7.2.10

Section 7.2.10 Keeping of Chickens

(1) **Land Use Permit Not Required.** No Land Use Permit shall be required for the keeping of chickens. However, upon finding a violation of the requirements of this Section, the Township may order physical alterations to a site and/or the removal of some or all of the chickens, in order to correct the violation.

(2) **Right to Farm Act.** Chickens raised in conformance with the Generally Accepted Agricultural Management Practices adopted by the Michigan Department of Agriculture and Rural Development, shall not be subject to this section, consistent with the Michigan Right to Farm Act.

(3) Applicability. The Following requirements apply to the R-1 and C-1 Districts:

a. Number of Chickens. A maximum of 6 chickens per lot. I

b. **b. Permitted Fowl.** Only chickens shall be permitted under this Section. The keeping of other poultry or fowl, including but not limited to ducks, geese, turkeys, guinea fowl, peafowl, or similar animals, is prohibited.
c. Roosters shall not be permitted.
d. The slaughtering of any chicken is prohibited.
e. Chickens must be provided with and kept within a covered enclosure at all times. Chickens shall not be allowed to roam the lot or any other property.
f. The enclosed area where the chickens are kept shall be located within the rear yard and shall be setback at least twenty (20) feet from any side or rear lot line, and at least 50 feet from any body of water.
g. The enclosed area where the chickens are kept shall be maintained in a clean and neat manner at all times.
h. Materials used to construct the enclosed area shall exclude tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.
i. Chicken feed must be kept in a rodent-proof, sealed container.

Article 6 Standards Applicable to Specific Uses

Section 6.01 Accessory Dwelling Units (2026 SECTION)

(A) Statement of Intent. Accessory Dwelling Units (ADUs) shall be permitted as described below. A Land Use Permit, as described in Section 4.1.3, shall be required prior to construction. All ADUs shall be accessory to a single family home, which shall be considered the Principal Dwelling Unit for the purposes of this Section.

In a rural context, Accessory Dwelling Units can fill a niche in the housing market without sacrificing agricultural and natural character, if built in a way that is consistent with the Township's Master Plan and vision for itself, and that can be supported by existing infrastructure. Therefore, Accessory Dwelling Units meeting the standards of this section are considered appropriate and approvable:

(B) General Standards

(1) Minimum ADU Size:

(a) Attached ADUs must be at least 300 square feet.

(b) Detached ADUs must be at least 600 square feet.

(2) Maximum ADU Size:

(a) Attached ADUs shall not exceed 1/3 the gross floor area of the Principal Dwelling Unit.

(b) Detached ADUs shall not exceed 800 square feet.

(c) Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.

(3) Setbacks. ADU's shall not be located in the front yard and must meet the required minimum setbacks of the corresponding zoning district for Principal Buildings as described in Section 6.8. Detached ADUs must be set back at least 25 feet from the Principal Dwelling Unit.

(4) Height. ADUs shall not exceed the maximum allowable height for Principal Buildings in the Zoning District they are located within.

(5) Lot Coverage. ADU's shall count towards all lot coverage maximums of the corresponding zoning district.

(6) **Lot Size.** An ADU shall only be permitted on a lot that is a minimum of two (2) times the minimum lot area required for the zoning district in which it is located.

(7) **Owner occupied Principal Dwelling.** The Principal Dwelling Unit must be owner occupied.

(8) **Compliance with County Building Department Requirements.** ADUs have a foundation in compliance with Michigan Residential Code and Approved by the Grand Traverse County Building Department.

(9) **Maximum ADUs per Parcel.** Amount of ADUs per Parcel. No more than 1 ADU per parcel shall be constructed. An ADU shall not be permitted on a lot containing a two-family or multiple-family dwelling.

(10) **Connection to Sanitary/Septic Facilities.** An ADU shall be connected to potable water and sanitary/septic facilities in compliance with the County Health Department.

(11) **Rental Prohibited.** Leasing or renting an ADU for remuneration is prohibited.

(12) **Driveway and Parking.** No additional off-street parking spaces are required for ADUs. In no case shall an ADU be permitted to have a separate driveway connecting to an adjacent roadway. However, a branch off the main Principal Dwelling Unit driveway may be created to serve the ADU.

Section 6.02 Accessory Outdoor Recreational Activities (2026 SECTION)

(A) **In the C-1 Commercial District.** Accessory outdoor recreational activities shall be permitted by right in the C-1 District subject to the following requirements:

(1) **Principal Use.** The use shall be accessory to a permitted principal use or approved special use on the same parcel.

(2) **Parking.** A minimum of five off-street parking spaces shall be provided per activity. Parking areas shall be paved.

(3) **Facilities.** Restrooms, trash receptacles, and potable water shall be provided on-site.

(4) **Setbacks.** All activity areas shall be set back at least 50 feet from all lot lines.

(5) **Health Department Approval.** The applicant shall demonstrate approval from the Grand Traverse County Health Department prior to issuance of a land use permit.

(6) **Electrical.** All electrical installations shall comply with applicable electrical codes.

Section 6.03 Adult Foster Care Facilities

DEFINITIONS

AGRICULTURE The act or business of cultivating, tilling, or otherwise using land and soil for the production of crops or livestock for human or animal use. Agriculture includes, but is not limited to, farming, grazing, pasturage, horticulture, floriculture, viticulture, aquaculture, and animal or poultry husbandry.

ACCESSORY BUILDING A subordinate structure that is incidental to, and reasonably necessary, for the operation of a farm. An accessory farm building supports the principal agricultural use of the property and may include, but is not limited to, barns, equipment or implement sheds, storage structures, greenhouses, hoop houses, farm stands, or similar buildings used for the housing of livestock, storage of crops or machinery, processing or handling of farm products, or other activities directly related to the commercial production of agricultural goods. Accessory farm buildings may not be for residential use and are located on the same parcel as the principal farm operation.

AGRICULTURAL PRODUCTS Agricultural Products include those plants and animals useful to human beings produced by agriculture and include, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan Department of Agriculture and Rural Development.

AGRICULTURALLY RELATED PRODUCTS Items sold at a farm to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agriculture products, baked goods, ice cream and ice cream based desserts and beverages, jams, gift items, food stuffs, clothing and other items promoting the farm, agriculture, and value-added agriculture products and on-site production.

AGRITOURISM An activity conducted on a working farm or agricultural property that is intended to involve members of the public. Agritourism activities, including but not limited to, U-pick operations, harvest festivals, farm tours, educational workshops, experiences utilizing on-site farm products including processed products, on-farm sales, roadside stands, farm markets, farmers markets, farm-to-table gatherings, cooking classes using farm products, corn mazes, hay rides, nightly rental farm stays, classes and tours, horseback riding, small farm animal

meet-and-greets, wildlife viewing, farmland art and photography, and food or beverage service related to on-site products including processed products.[1]

BREWERY, DISTILLERY A facility licensed by the Michigan Liquor Control Commission and the TTB for the manufacture of, beer or distilled spirits from fruit, grain or other agricultural products. A brewery, distillery may include buildings and structures used for the crushing, fermenting, aging, blending, bottling, storage, and distribution of finished product. A brewery, distillery may include, by right, a tasting room as an accessory use, subject to permit approval by the Township and the Michigan Liquor Control Commission.

COTTAGE FOOD OPERATION A home-based food business permitted under the Michigan Cottage Food Law, Public Act 113 of 2010, as amended, that prepares and sells non-potentially hazardous food products from a residential kitchen directly to consumers. Cottage food operations do not require a state food license and are limited to the sale of approved products through direct-to-consumer channels, including but not limited to farm markets, farm stands, roadside stands, internet, mail-order, and third-party delivery sales.[2]

FARM A parcel of land used, whether as a principal or accessory use, for the commercial production of farm products. A Farm includes a farm operation conducted in compliance with the Generally Accepted Agricultural and Management Practices (GAAMPs), and encompasses land, plants, animals, buildings, structures (including ponds used for agricultural or aquacultural purposes), machinery, equipment, and all other appurtenances necessary for the commercial production of farm products.

FARM MARKET A Farm Market is part of a farm operation where transactions between operator and customers take place seasonally or year-round. A farm market may include, but is not limited to, a farm stand, u-pick operation, CSA distribution site, tasting room, tasting kitchen, where agricultural products produced on the affiliated farm are sold to the public. If the farm market is housed in a physical structure as defined and regulated by the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), the structure must comply with the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), including road right-of-way areas and ingress and egress points.

FARM OPERATION All activities necessary for the commercial production, harvesting, storage, and marketing of farm products. This includes selling produce at roadside stands or farm markets; generating normal farm-related noise, odors, dust, and other conditions; operating farm machinery and equipment; preparing fields, planting, and spraying; applying fertilizers and

[1] As adopted by the Agricultural Advisory Committee in September 2025.
[2] Michigan Cottage Food Law, Public Act 113 of 2010

pesticides; using alternative pest management techniques; caring for and managing livestock; handling and applying manure or other agricultural by-products; shifting between different types of farm activities; and employing labor needed to carry out these functions.[3]

FARM STAY A paid, overnight guest accommodation on a farm for the purpose of participating in educational, recreational, or social activities on the farm that feature agricultural practices or qualifying products, or both. A farm stay includes the option and focus for guests to participate in such activities. Farm Stay accommodations may include: guest rooms within the primary dwelling, guest dwellings on the subject property, campsites on the subject property meeting the requirements of the State Campground Division. Farm Stays may also include meals for guests. The owner, or tenant farmer, must reside on the property.

GROSS ACREAGE The total area of a parcel of land as shown on the most recent recorded deed or survey, measured to the exterior property lines, and on which all building size, coverage, density, and related zoning calculations shall be based, exclusive of any public rights-of-way but inclusive of all other land area, regardless of topography, wetlands, floodplains, or other physical constraints.

NON-AGRICULTURAL-RELATED PRODUCTS Those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts, or knick-knacks.

PROCESSING The handling, transformation, preservation, packaging, or preparation of agricultural products produced on an affiliated farm intended for direct-to-consumer or wholesale sales. Processing may include, but is not limited to, packing, washing, cleaning, sorting, pitting, pressing, fermenting, distilling, packaging, cutting, cooling, curing, storage, canning, drying, freezing, or otherwise preparing an agricultural product for market. On-farm processing is an accessory and subordinate activity intended to support agricultural production and direct marketing.[4]

STRUCTURE Any man-made object or improvement that is constructed, erected, placed, or installed on land and that requires, or would ordinarily require, a building permit or other construction approval under applicable state or local codes, including but not limited to buildings, building additions, decks, platforms, pavilions, roofs, walls, tents, canopies, containers, or similar facilities, whether permanent or temporary, and whether enclosed or unenclosed.

TASTING ROOM A licensed area located on the premises of a manufacturer (e.g., winery, brewery, cidery, distillery) where alcoholic beverages produced by that manufacturer may be sampled, tasted, and sold for on-premises consumption, subject to state license type and rule

[3] Michigan Right to Farm Act, Act 93 of 1981, 'Farm Operation definition'
[4] Michigan Agricultural Processing Act 381 of 1998.

limitations. A tasting room is an accessory use for the purposes of direct-to-consumer marketing and sales

VALUE-ADDED AGRICULTURAL PRODUCT A farm product that has been enhanced or improved, on or by the farm owner or operator, to make the product more attractive or readily usable to the buyer. Such enhancement or improvement may include processing, addition of other ingredients, transformation, or packaging.

U-PICK A fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from that farm.

USE BY RIGHT A land use that is permitted outright in a zoning district and may be established, conducted, and continued without discretionary review, special land use approval, or public hearing, provided the use complies with the applicable standards and requirements of this ordinance and all other relevant local, state, and federal regulations.

WINERY, CIDERY A facility licensed by the Michigan Liquor Control Commission (MLCC) and the TTB for the manufacture of wine or cider. A winery/cidery may include buildings and structures used for the crushing, fermenting, aging, blending, bottling, storage, and distribution of wine or cider. A winery/ cidery may include, by right, a tasting room as an accessory use, subject to permit approval by the Township and the Michigan Liquor Control Commission.

SECTION A-1 DISTRICT: AGRICULTURAL

PURPOSE

The agricultural district is characterized by parcels of farmland interspersed with rural residential properties. The purpose of this ordinance is to establish a clear and comprehensive regulatory framework that supports the continued viability of agriculture on parcels of land that are greater than 5 acres and less than 40 acres, within Peninsula Township. These provisions are intended to enable farms to diversify operations, participate in agritourism opportunities, and maintain economic stability while preserving farmland, protecting the Township's rural landscape, and ensuring that agriculture remains a central and enduring component of the Township's identity and economy.

USES PERMITTED BY RIGHT

GENERAL USES

General and specialized agricultural uses and farm operations, as defined by the current Michigan Right to Farm Act and current GAAMPs, are permitted by right. Such uses include the raising, growing, and production of crops, livestock, poultry, bees, fish, and other farm animals, and the production of agricultural products and foodstuffs. Buildings and structures may be erected and used by right for farm operations, including the storage, preservation, processing, collection, and distribution of agricultural products.

1. **SALE OF PRODUCTS**
   The sale of agricultural products, including direct-to-consumer and farm-to-processor sales, as well as value-added agricultural products**,** as defined by GAAMPS**.**

2. **FARM MARKET**
   As defined above and in compliance with the following[5].

   a. **Physical characteristics of a Farm Market and /or structures:**
      A Farm Market is a year-round, or seasonal, location where transactions and marketing activities between operators and customers take place. A Farm Market may be a physical structure such as a building or tent, or simply an area where a transaction

[5] As defined by GAAMPs Farm Market, 2026

between a customer and farmer is made. The Farm Market does not have to be a physical structure.

b. **Setbacks**
Any farm stand or farm market structure exceeding one hundred twenty (120) square feet in floor area shall be setback a minimum of one hundred sixty-five feet (165') from all non-farm residences.

c. Products Offered for Sale
A farm market may sell fresh agricultural products and processed or value-added agricultural products. At least 50 percent of the farm products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50 percent of the product's primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, cherries in cherry jam, etc.

d. **Ownership and Location**
The farm market shall be located on property owned or controlled by the producer of the products offered for sale, including property held under lease.

e. **Tastings**
Tastings incidental to the sale of farm products are permitted where otherwise allowed by state law.

f. **Signage**
Shall be permitted in accordance with Peninsula Township Sign Ordinance #208.

3. **INCIDENTAL FARM ENGAGEMENT AND AGRITOURISM ACTIVITIES**
Low-intensity, customary farm engagement and agritourism activities that generate minimal off-site impacts may occur as accessory uses in conjunction with the agricultural uses permitted in Sections 1 through 2 above. Such activities are intended to support and promote the sale of farm products and shall maintain the general agricultural character of the farm.[6]

a. **Permitted Activities**
Incidental farm engagement and agritourism activities may include, but are not limited to:

i. Guided farm tours and farm walks

ii. School visits and educational programming

[6] As defined under GAAMPs Farm Market definition of 'marketing' activities.

iii. Hayrides

iv. Seasonal demonstrations

v. Corn mazes and pumpkin patches with associated activities

vi. Instructional classes or workshops with on-site demonstrations

b. **Relationship to Agricultural Production**
All activities permitted under this section shall be clearly accessory and subordinate to active agricultural production and shall not displace farming as the principal use of the parcel.

c. **Kitchens and Processing Facilities**
Kitchens and processing facilities used in conjunction with incidental agritourism activities may be utilized for the preparation, cooking, processing, or preservation of agricultural products produced on the affiliated farm. Products prepared or processed under this subsection may be sold on-site or through other lawful distribution channels.

d. **Operational Standards**
Incidental farm engagement and agritourism activities shall comply with the following standards:

i. Sound
All sound and noise generated by activities shall comply Peninsula Township Ordinance #62.

ii. **Parking**
All parking shall be accommodated on-site in a manner that minimizes impacts to neighboring properties and public roads.

iii. **Hours of Operation**
Activities open to the public shall occur between the hours of 5 am to 10 pm.

4. **ON-FARM PROCESSING**
On-farm processing shall be permitted by right as an accessory use to a farm operation within the Agricultural District for parcels with gross acreage of at least five (5) acres and less than 40 acres of land.

a. **Processing Activities**
Activities may include, but are not limited to:

i. Cleaning, washing, grading, sorting, and packing of agricultural products.

ii. Cold storage, dry storage, and controlled-atmosphere storage.

iii. Preservation activities such as freezing, drying, curing, fermenting, aging, or barreling.

iv. Processing of agricultural products into value-added products, including baked goods, preserves, cider, wine, vinegar, cheese, syrups, sauces, beer, distilled spirits, and similar products.

v. Preparation of agricultural and value-added products for direct-to-consumer sale, wholesale distribution, or off-site retail sale, where otherwise lawful.

b. Structures and Facilities

i. Buildings or portions of buildings used for on-farm processing may be permanent or temporary and may include barns, sheds, outbuildings, farmhouses, or purpose-built processing structures.

ii. Structures used for on-farm processing shall remain accessory and subordinate to the principal agricultural use of the parcel.

iii. Set backs for the processing facility shall be 200 feet from a residential or dwelling unit on an adjacent property.

iv. Processing activities may be conducted seven days a week, 24-hours per day as needed. The operator must comply with all Federal, State, and local laws and regulations applicable to the type of processing facility proposed and obtain and or comply with all permits, license, approval, and operational requirements.