

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

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www.peninsulatownship.com

**PENINSULA TOWNSHIP
PLANNING COMMISSION
ZONING REWRITE AD HOC COMMITTEE AGENDA
REGULAR MEETING**

August 11, 2025

Peninsula Township Hall (NOT the conference room)

13235 Center Road, Traverse City, MI 49686

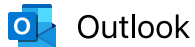
1:00 p.m.

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments**
6. **Communications**
7. **Conflict of Interest**
8. **Business**
 - a. Elect Officers (Chair, Vice Chair)
 - b. Confirm Meeting Schedule (Second Monday, 1-3pm)
 - c. Ordinance Language Discussion
 - i. Signage
 - ii. Shoreline
 - iii. Short-Term Rentals
 - iv. Special Use Permit Amendments
 - d. Confirm Next Steps
9. **Brief Citizen Comments**
10. **Committee Comments**
11. **Adjournment**

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

Posted: August 7, 2025, 11:30 a.m.

Elise Loud/Placecraft, Township Planner



Special Use Permit ZO Amendments

From Marie-Chantal Dalese <MCDalese@chateauchantal.com>

Date Thu 6/5/2025 12:30 PM

To Elise Loud <planner@peninsulatownship.com>

Hello Elise,

I apologize for not being able to attend this week's meeting to seek additional information about the direction of the June 3 memo to the PC regarding amending SUPs – my main point of inquiry is regarding (2) (g) Any addition to a legal nonconforming site. Does this mean any winery with a SUP would not be granted the simplified version of the amendment process, depending on the nature of the item? Even a small storage shed or administrative update would require the full show?

I would like to submit a comment requesting that legal nonconforming sites be given the same consideration for simplification, for both parties. Please let me know if I need to send a formal letter to the PC regarding this topic.

Thank you,

Marie-Chantal Dalese
CEO, Chateau Chantal
Certified Sommelier
15900 Rue de Vin
Traverse City, MI 49686
231-223-4110 ext 140





Memorandum

TO: Elise Loud, Peninsula Township Contract Planner
Christopher Khorey, AICP

FROM: Brad Misner, AICP, NCI
Ethan Senti, Assistant Planner

SUBJECT: **Transmittal Memo-Draft Ordinance Language Signage, Shoreline (Docks, Hoists, Storage), and Special Use Permit Amendment Process comments**

DATE: August 6, 2025

This memo provides draft ordinance language related to Signage and Shoreline Regulations and provides comments related to the process for amending approved Special Use Permits. Specifically, these drafts and comments are provided for review and input from Township staff, the Advisory Committee, and the public and will be discussed at the August 11, 2025.

Review and Analysis

McKenna staff reviewed the policy direction and recommendations from the Agriculture Advisory Committee and the from shoreline stakeholders, related to agricultural signage and shoreline regulations, respectively. For the draft revisions to the Signage Ordinance, we have included all track changes within the same format as the 2019 Signage Draft Ordinance along with comments for review and input. The Shoreline (Docks, Hoists, Storage) draft language is provided as new draft language that would ultimately be inserted into Section 3.13 (Great Lakes Shoreline Regulations) of the 2019 Draft since it is our recommendation is to restructure this section.

Also, McKenna staff reviewed Section 3.06 (Permitted Use by District) and all residential zoning districts use standards to ensure that it is clearly written rental that Non-Owner Occupied Dwellings must be for a period of 30 days or more to ensure that these dwellings are not for short-term rentals.

Lastly, McKenna staff reviewed the draft provisions for Special Use Permits (SUPs) which distinguish between major and minor amendments to approved SUPs and establish the procedures for the processing of these amendment types. For the review of this pdf document, we have added comments for consideration using the notes feature in Adobe and are looking forward to discussing our comments.

We look forward to discussing our thoughts and recommendations concerning these two very important topics and Ordinances and welcome all input and feedback. We also recommend review by legal counsel specifically for the draft signage language in that the net effect of Reed v. Town of Gilbert, Arizona have implications related to sign content and possibly to signage definitions that may conflict with recommendations from the Agriculture Advisory Committee and the draft language proposed.

Attachments:

Draft Signage Ordinance
Draft Shoreline Ordinance
SUP Procedures PDF Comments

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 (including setbacks and distances between billboards), 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.

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(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.

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(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:

(1) **Banner Sign.** A sign made of natural or synthetic fabric; however, not including pennants or flags.

(2) **Entrance Way Sign.** A sign located near the public entrance of a permitted development.

(3) **Flashing Sign.** Any illuminated sign that pulsates, flashes, scrolls, fades, dissolves, osculates, spins, twirls, sequentially reflectorizes, or contains any other type of motion.

(4) **Ground Monument Sign.** A base-mounted, freestanding sign placed in the ground and not attached to any building or other structure.

(5) **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.

(6) **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.

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

(8) **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 to identify features of a land use such as building entrances, drop boxes, rest rooms, and handicapped ramps for the purpose of traffic safety. 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.

- (9) **Ingress/Egress Sign.** A small sign located adjacent to the entrance or exit drives of a development, intended to identify the points of vehicular ingress and egress for the purpose of traffic safety.
- (10) **Interior Directional Sign.** A sign located on the interior of a development, intended to be used to direct visitors to within the development for the purpose of traffic safety.
- (11) **Marquee, Canopy, Awning Sign.** An sign attached to a marquee, canopy, or awning projecting from the building.
- (12) **Pennant Sign.** A small, often triangular, tapering flag used in multiples as a device to call attention.
- (13) **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."
- (14) **Roof Sign.** Any sign which is on or attached to the roof of a building.
- (15) **Wall Sign.** A sign which is attached directly to, painted upon, or inscribed on a building wall.
- (16) **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.
- (17) **Yard Sign.** A portable temporary freestanding sign that is temporarily anchored or secured to the ground.

(C) Sign Definitions, Sign Types Based on Activity.

- (1) **Sign, Off-Premises Commercial Advertising.** A sign that identifies or communicates a message relating to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located, which may be permanent or temporary. Examples of off-premises commercial signs include, but are not limited to, the following:
 - (a) **Sign, Permanent Billboard/Highway Advertising.** An off-premises sign owned by a person, corporation or the entity that engages in the business of selling the advertising space on that sign.

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¶ **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. ¶

¶ **Sign Face.** That part of a sign structure which is used to graphically communicate a message or announcement. ¶

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(b) Sign, Temporary Directional. A temporary off-premises sign that is used to identify the route to an event or activity that is commercial in nature such as bazaars, races, tours and quasi-public fund-raising events. Directional Event Signs include such things as marks painted on or along the road surface whether or not approved by the Department of Transportation or County Road Commission.

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(c) Sign, Temporary Directional Agricultural Use. A temporary off-premises sign on parcels larger than 5 acres that is no larger than 20 square feet and 8 feet in height pursuant to Section 10.08 (C) and to identify the route to an event or activity that is commercial in nature associated with Agricultural Uses such as sales, events, or sampling of agricultural food and drink products, grown on properties located in Peninsula Township. Temporary Directional Agriculture Use Signs include such things as portable signs and freestanding signs whether or not approved by the Department of Transportation or County Road Commission.

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(d) Sign, Temporary Seasonal Product Attraction or Reader Board Agricultural Use. A temporary, seasonal off-premises sign subject to Section 10.08 (C) and which has changeable copy for the purpose of advertising sales and agricultural products or has artistic representations of products and is located at an off-premises location. Temporary Seasonal Signage shall only be allowed during the growing season (April 1st through October 31st) and shall be removed by November 8th of any given year.

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(2) Sign, On-Premises Commercial Advertising. A sign identifying or advertising a commercial business, person, activity, or service located on the premises where the sign is located. Examples of on-premises commercial signs include, but are not limited to, the following:

(a) Sign, Agricultural Products. An on-premises sign which indicates the retail sale of agricultural products including those sold at roadside stands and U-Pick operations.

(b) Sign, Business Center. A sign which gives direction, name, and identification to a business center and which may include identification of individual businesses within the center.

(c) Sign, Business Identification. A sign identifying a business operating on the premises where located.

(d) Sign, Construction Site. A sign identifying a construction site.

(e) Sign, Event. An on-premises sign placed for a period of time that is used to identify an event that is temporary in nature such as Home Tours, bazaars, races, tours and quasi-public fund raising events.

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(f) Sign, Promotional. A sign that is placed for a limited period of time and is used to advertise a sale, a special event, or similar activity.

(g) **Sign, Real Estate.** A temporary sign advertising the real estate upon which the sign is located as being for lease, sale, auction, or rent.

(h) **Sign, Roadside Stand.** A sign located on the same premises with a roadside stand, subject to Section 10.08 (C), which identifies the roadside stand and may also identify products to be sold at the roadside stand.

(i) **Sign, Yard/Garage Sale/Personal Event.** A temporary sign which is placed on the premises of a yard sale, garage sale or on-site events.

(3) **Sign, On-Premises Identification.** A non-electric on-premises identification sign giving name and address of an occupant.

(4) **Sign, On-Premises Safety.** A sign placed to control access to a property such as: "No Hunting," "No Trespassing," or "Private Property".

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Section 10.03 Substitution Clause (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.** The area of a sign shall be the minimum area of a parallelogram, ellipse, or circle, or combination of geometric shapes, that is capable of containing the graphics, symbols, and/or written copy along with the background area.

(B) **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.

(C) **Height.**

(1) **Measurement of Height.** Height of signs shall be measured from the highest point of the sign or supporting structure to the elevation of the highest point of grading beneath the sign exclusive of architectural landscaping related to the sign.

(2) **Additional Maximum Height Requirements.** In addition to the maximum height requirements of [Section 10.08](#), 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.

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, unless otherwise provided for in this Ordinance.

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(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 in and of itself 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) **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.

(E) **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.

(F) **Setbacks.** Setbacks shall be measured from the lot line to the leading edge of the sign or support structure whichever is less.

(G) **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.

(H) **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.

(I) **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) Off-premises commercial advertising signs unless explicitly permitted in this Article.
- (B) Signs that are illegal under applicable Federal, State, or local laws, regulations and/or ordinance.
- (C) Signs that are not clean and in good repair or that have become unsafe or not secure.
- (D) Signs that violate the building code or electrical code.
- (E) Signs not securely fastened to a substantial structure.
- (F) Signs that interfere with or resemble any official traffic sign, signal, or device, or signs that are 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) Flashing Signs.
- (I) Portable Message Signs or signs utilizing vehicles, trucks, vans, or other wheeled devices.
- (J) Roof Signs.
- (K) Pennant Signs.
- (L) Any sign that revolves, rotates, moves, or is animated.
- (M) Signs with automated changes in sign appearance.

Commented [BM5]: Should this be eliminated? Off-Premises signs are allowed, or could add cross reference?

- (N) Banner Signs, pennants, streamers, festoons, and airborne or air-activated devices attached to the ground or buildings except where otherwise specifically permitted by this Ordinance.
- (O) Tripods or sandwich boards.
- (P) Automated changeable message boards.
- (Q) Wall signs extending perpendicularly from a building wall.
- (R) On-site and off-site directional signs except those specifically allowed by this Ordinance.
- (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 *Error! Reference source not found.*
- (W) Signs attached to street furniture, such as benches and trash cans.
- (X) Projected image signs.

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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) On-Premises Identification Sign (including address signs), which is necessary for public safety and emergency vehicle access.
- (C) Official signs of a non-commercial nature erected by a public utility.
- (D) On-Premises Safety Signs, such as a Private Property/No Hunting/No Trespassing Sign.
- (E) Public notice signs placed by public agencies.
- (F) Signs required by law or placed by any governmental agency for traffic control in accordance with the Michigan Manual of Uniform Traffic Control Devices.
- (G) Incidental Signs. See [Section 10.02\(B\)\(8\)](#).

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- (H) Flags or insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device.
- (I) Signs carried by a person if operating lawfully in a public or private road right-of-way.

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

In addition to signs permitted in [Section 10.07](#), the following standards apply (all areas are in square feet and all setbacks are from any lot line):

(A) Signs Permitted in All Districts. The following signs are permitted in all zoning districts:

Sign Type	Maximum Number Per Lot	Maximum Area	Maximum Height	Minimum Setback	Illumination	Permit Required?
Temporary On—Premise Commercial Advertising Sign (e.g., Real Estate, Construction, Yard Sale/Garage Sale, etc.)	1	6 sq. ft.	4 ft.	N/A	No	No
Temporary Off-Premise Commercial Advertising (limited to 30 days in a calendar year) (e.g., Events, etc.)	1	6 sq. ft.	4 ft.	N/A	No	Yes
Temporary Noncommercial Signs (e.g., Political, etc.)	4	24 sq. ft. total	4 ft.	N/A	No	No
Ground Monument Entrance Way Sign (e.g., Subdivision, Institutional Uses, Non-Profit Uses, Government Uses, etc.) (Excluding uses located in a Commercial District [see Section 10.08(B)], single-family dwellings)	1	9 sq. ft.	6 ft.	15 ft.	Yes	Yes
Wall or Marquee/Awning (For the following uses not located in a Commercial District: Institutional Uses, Non-Profit Uses, and Government Uses)	1	30 sq. ft.	N/A	N/A	Yes	Yes
Window Sign	1	3 sq. ft.	N/A	N/A	No	No
Name Plate	1	3 sq. ft.	4 ft. (unless attached to a building)	N/A	Yes	No
On-Premise Safety Signs	1 per 100 feet of frontage or portion thereof	1 sq. ft.	6 ft.	N/A	No	No

Ingress/Egress Signs	***	2 sq. ft.	3 ft.	N/A	***	Yes
Incidental Signs	***	2 sq. ft.	***	***	***	Yes
Interior Directional Sign	***	2 sq. ft.	***	***	***	Yes

***As per approved site plan or plot plan

(B) Signs Permitted in Commercial Districts. In addition to the signs permitted in [Section 10.07](#) and [Section 10.08\(A\)](#), the following signs shall be permitted in the Commercial Districts:

Sign Type	Maximum Number	Maximum Area	Maximum Height	Minimum Setback	Illumination	Permit Required?
Billboards (along M-37 only)	1	30 sq. ft.	10 feet	15 feet	No	Yes
Ground Monument Sign	1	30 sq. ft.	10 feet	15 feet	Yes	Yes
Wall or Marquee/Awning	1	30 sq. ft.	N/A	N/A	Yes	Yes

(C) Signs Permitted in the A-1 Agricultural District. In addition to the signs permitted in [Section 10.07](#) and [Section 10.08\(A\)](#), the following signs shall be permitted in the A-1 District:

Sign Type	Maximum Number	Maximum Area	Maximum Height	Minimum Setback	Illumination	Permit Required?
Additional Temporary On—Premise Commercial Advertising Sign (Signage for: Farms, Roadside Stands, Food Processing Plants, and Winery/Farm Processing Facilities only)	1	9 sq. ft.	6 ft.	N/A	No	No
Off-Premises Agricultural Use and Directional Signage*	<u>1</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>	<u>N/A</u>	<u>No</u>	<u>Yes</u>
On-Premises Commercial Advertising Signage and Entrance Way Signage	<u>1</u>	<u>20 sq. ft. (20 sq. ft. additional for seasonal placards)</u>	<u>8 ft.</u>	<u>15 feet**</u>	<u>Yes</u>	<u>Yes</u>

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*Only permitted on parcels larger than 5 acres in size and requires notarized permission letter indicating approval of sign details and location from landowner

** Must be located outside of road/intersection clear vision area as set forth in Section 7.09 (Clear Vision Area)

Section 10.09 Billboards (Permanent Off-Premise Commercial Advertising Signs) ([current Section 7.11.1\(6\)](#), [7.11.1\(20\)](#), and [7.11.2\(12\)](#))

(A) Setbacks. The support system for billboards is a structure which must meet all setbacks, and requires a lot that meets the area and size requirements for the district in which located.

(B) Separation Distance. There shall be a minimum horizontal spacing of 2,000 feet between any 2 billboards including both sides of a highway.

(C) Prohibited Billboards. The following types of billboards shall not be permitted:

- (1) A billboard within 500 feet of any residential district, historic district, park, school, church, hospital, retirement home, cemetery, or government building. A billboard located within 500 feet of a residential, commercial, industrial, or agricultural use on the same property.
- (2) A billboard that is stacked, tiered, stepped, or placed next to or alongside of any other billboard or sign.
- (3) A billboard which would, by its erection, destroy significant natural vegetation and/or cause significant existing vegetation to be removed.
- (4) A billboard mounted on or over the roof of a building.
- (5) Billboards which may otherwise be prohibited by any other laws, ordinances or regulations.

Section 10.10 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 *Error! Reference source not found.*
- (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, including billboards, advertising kiosks, and information boards, shall be mounted at the top of the sign or sign structure and be fully shielded;
- (D) **Internal Illumination.** Internally illuminated signs, billboards, advertising kiosks, and information boards 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*. 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.

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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)
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Section 10.11 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.** No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this Article. For the purpose of this Article only, the term “altered” or “reconstructed” shall not include normal maintenance; changing of surface sign space to a lesser or equal area, ornamental molding, frames, trellises or ornamental features or landscaping below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters or other embellishments. 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 10.12 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 ~~Section 13.06~~, of this Ordinance. In addition to meeting the Basic Conditions of ~~Section 13.06(C)(2)(a)~~, variance from the requirements of this Article shall also meet the following conditions that are applicable:
- (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.

Deleted: [Section 13.06](#)

Deleted: [Section 13.06\(C\)\(2\)\(a\)](#)

- (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.

Section 3.13.J Docks and Hoists

1. General Provisions.

- a. **Approval.** No permit shall be required to install a dock meeting the requirements of this Section, except where a Land Use Permit is specifically required by this Section.
- b. **Maximum Number.** No parcel shall have more than one (1) dock.
 - i. A “T” or “L” shaped configuration is permitted, provided the dock maintains only one (1) point of contact with the shoreline.
 - ii. Parcels with a shoreline width of greater than 300 feet shall be permitted one (1) additional dock, upon approval of a Land Use Permit as described in Section 13.03. As part of the application process, the applicant must affirmatively demonstrate that their shoreline is 300 feet in width, or greater.
- c. **Width and Length.** No dock shall be greater than eight (8) feet wide. All docks shall only be as long as necessary to provide access to 6 feet of water depth. This width requirement does not apply to swimming platforms or dock patios.
- d. **Storage.** All docks shall be taken out of the water between November 1 and April 1 to avoid ice damage. Storage out of the water shall be subject to the following regulations:
 - i. All items must be stored within the property lines of which the dock serves.
 - ii. All items to be stored must be at least four (4) feet from the shoreline.
 - iii. All dock sections must be neatly stacked and all hoists consolidated.
 - iv. Storage shall not be permitted within a road right-of-way.
- e. **Dwellings and Clubhouses Prohibited.** No dwelling units or clubhouses are allowed on any dock.
- f. **Dock Placement.**
 - i. **Shoreside.** The shoreside edge of the dock must be within a zone extending 20 feet in each direction from the midpoint between the side lot lines, measured along the shoreline.
 1. This requirement shall apply for even for docks placed entirely within the water.
 2. **Shared Docks.** This requirement shall be waived through joint application for a Land Use Permit by adjoining property owners for a shared dock. Such dock shall be exempt from this subsection, but shall comply with all other applicable requirements.
 - ii. **Waterside.** All portions of a dock within the water shall be at least 50 feet from any other dock.
- g. **Undeveloped Lots.** Waterfront lots without a principal building may contain a dock, provided that all requirements of this section are met.

h. **Dock Lighting.** All dock lighting must comply with dark sky best practices as defined by Dark Skies International.

i. **Hoists.**

i. **Maximum Number.** Three (3) **boat hoists** are permitted per 50 lineal feet of shoreline. Two (2) **jet ski hoists** are equivalent to one (1) boat hoist.

ii. **Size.** The boat hoist shall not exceed 12 feet by 16 feet. Larger hoists may be approved by Land Use Permit, upon demonstration of safety-related purpose to the Zoning Administrator.

2. **Keyholing and Shared Waterfront Access.** In order to exceed the number of allowable boat hoists on a dock, or the number of docks allowed on any given parcel, a Special Use Permit shall be required, and the following standards shall be met:



Memorandum

TO: Elise Loud, Peninsula Township Contract Planner
Christopher Khorey, AICP

FROM: Brad Misner, AICP, NCI
Ethan Senti, Assistant Planner

SUBJECT: **Special Use Permit Amendment Process comments**

DATE: August 7, 2025

McKenna staff reviewed the draft provisions for Special Use Permits (SUPs) which distinguish between major and minor amendments to approved SUPs and establish the procedures for the processing of these amendment types. For the review of this pdf document, we have added comments for consideration using the notes feature in Adobe and have listed the comments below as well.

Comments related to SUP Proposed Ordinance

Comment:

#1 Last sentence of (f) 2.:

- Change promoting to promote.
- This finding seems too nebulous, how is socially desirable determined?

#2 8.1.3 (e):

- How is it determined that a use is served adequately by essential facilities? Does the Twp. require technical studies as part of the application submission to determine the adequacy of the essential facilities?

#3 8.1.3.(i):

- Same comment as above. How is this finding determined?

#4 Definitions:

- May want to consider specifying in more detail what constitutes a Major v Minor amendment. The exact criteria could be listed out as a. b. c. etc.

#5 First Paragraph below: Permit Procedures for Amendments to Previously Approved Special Use Permits:

- Instead of Applicants desiring to amend it is suggested that the sentence begins, "Applicants seeking an amendment of....."



#6 (a) Insignificant Deviations:

- Why not be clear on what is a minor amendment and then allow those amendments that meet the criteria to be processed administratively rather than needing PC approval.

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 an SUP, 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 8.1.2 (3) (f) Final Approval & 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.

(Uses that require SUP approval: 8.2 Mobile Home Park Development; 8.3 Planned Unit Developments; 8.4 Recreational Unit Parks; 8.5 Food Processing Plants in A-1 Districts; 8.6 Institutional structures and Uses in Residential and Agricultural Districts; 8.7 Miscellaneous Special Uses; 8.8

Gasoline Service Stations; 8.9 Mobile Homes in Residential Districts; 8.10 Hotel, Motel, Tourist Courts in the C-1 Commercial District).

Suggestion - Add "Restaurants Serving Alcohol" as requiring SUP approval. Require conditions of approval regulating seating capacity, hours of operation, parking, etc.

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 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 considered Minor or Insignificant by the Planner and as been vetted by the PC that the proposed amendment is, this the PC's estimation, Minor or Insignificant. (See Section ____ on Amendments)

(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, **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 accommodating increased services and facility loads caused by the land use or activity, **to** protecting the natural environment and conserving natural resources and energy, **insuring to ensure** compatibility with adjacent uses of land, and **promoteing** 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 a 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 are satisfied.

(1) General Standards: The ~~Town~~ 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 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 it is proposed.

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

as a whole.

(d) Be designed to protect the natural topography and natural resources. (Susie suggests enumerating specifically what is meant by natural topography and natural resources)

(e) 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.

(f) 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.~~

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

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

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

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

(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.

New Section _____ Amendments to Special Use Permits

Definitions:

Major Amendment: A proposed change to an existing SUP or site plan that alters 10% or more of the space or approved use. (e.g. adding square footage to an existing building; increasing approved occupancy; increasing number of vehicle trip ends; uses requiring increased parking area, etc.).

Minor Amendment: A proposed change to an existing SUP or site plan that alters less than 10% of the space or approved use. (e.g. correcting a minor error on a site plan; slightly adjusting the location of a building on a lot; making minor changes to landscaping/screening requirements; adjusting parking space dimensions to apply accessibility standards, etc.).

Permit Procedures for Amendments to Previously Approved Special Use Permits

Applicants desiring to amend an approved SUP shall follow the permit procedures in Section 8.1.2. Once received the Planner shall review the application and make a determination as to whether a proposed amendment constitutes a Major or Minor amendment (as defined in this Zoning Code) to the original special use permit.

(1) Minor amendments. All projects not defined as major amendments shall be considered minor amendments. Minor amendments shall be brought before the Planning Commission for their review and concurrence that the amendment is in fact minor.

(a) Insignificant Deviations – With the concurrence of the Planning Commission the Planner may authorize insignificant deviations in an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance and any conditions imposed. A deviation is insignificant if the Planner determines it will result in no discernible changes to or impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and will not noticeably change or relocate the proposed improvements to the property.

(b) The Planning Commission may (by resolution??) permit minor amendments to an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed unless otherwise requested to be modified, and do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for public services, or vulnerability to hazards. The Planning Commission may make a decision on minor amendments upon receipt of an application. Minor amendments are those modifications the Planner determines will have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, but exceed the extent to which can be approved as an insignificant deviation.

(2) Major amendments. Major amendments to an approved site plan shall be processed in the same manner as a new application. A major amendment shall be evidenced by having a significant impact on the permit and the conditions of its approval, which shall include, but not be limited to:

(a) Additions to buildings in excess of 2,000 square feet for buildings under 20,000 square feet in gross floor area or 10% of an existing building over 20,000 square feet in gross floor area.

(b) Expansion or increase in the intensity of a use that anticipates an increase in 100 or more vehicle trip ends during the peak hour.

(c) The addition of site area equal to or more than 20,000 square feet for existing sites less than 40,000 square feet in area or two times the original site size for sites over 40,000 square feet.

(d) Expansion of a use that anticipates a 10% or greater increase in required off-street parking spaces.

(e) The addition of a drive-through window.

(f) Adjacent to residential zoned property.

(g) Any addition to a legal nonconforming site.

(3) Public hearing. The application for a major amendment to a special use permit shall be subject to the same notices and hearings and all other procedures required for the initial application reviewed and decided by the Planning Commission.

(4) Conditions of Approval. The Planning Commission or Township Board may impose new conditions on the approval of an amendment SUP if such conditions are warranted as described in this Article. The holder of the original site plan approval may reject such additional conditions by withdrawing the request for an amendment and proceeding under the existing site plan approval.

Procedure for processing amendments to existing special use permits determined to be major amendments by the Director of Planning.

Major amendments to approved special use permits may only be granted by the Township Board in accordance with the procedures and criteria set forth in this section. 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 existing site plan approval.

Basis for Determinations:

Before making a recommendation on an amended special use permit application to the Township Board, the Planning Commission shall establish that the amendment continues to satisfy the following general standards, as well as the specific standards outlined in each section of this Article and will continue to:

(a) Be consistent with the Township Master Plan.

(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.

(c) Be designed to protect the natural topography and natural resources.

(d) 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.

(e) 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.~~

(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 materially diminish the economic value of adjacent properties or the community as a whole.

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

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

(j) Is materially consistent with the original approved special use permit.

From Oscoda Township:

Modification of Approved Special Land Uses: An application to modify an existing approved special land use shall be processed in one of the following ways:

1. If the proposed modification would increase the scale or intensity of the existing use, or change the use of the property to another type of permitted Special Land Use, or change one or more of the original conditions of approval, the modification application shall be reviewed and acted upon by the Planning Commission in the same manner as an application for a new Special Land Use Permit in

accordance with Sections 9.5, 9.6 and 9.7 above.

2. If the proposed modification would not increase the scale or intensity of the existing use, or change the use of the property to another type of permitted Special Land Use, or change one or more of the original conditions of approval, but would structurally alter a building or change part of the approved site plan, the modification application shall be reviewed and acted upon by the Planning Commission as a Site Plan application in accordance with Article X of this Ordinance.

3. Minor modifications that would not increase the scale or intensity of the existing use, change the use of the property, change one or more of the original conditions of approval, structurally alter a building or change part of the approved site plan may be approved by the Zoning Administrator in accordance with Section 7.4 of this Ordinance.

Project Plan V4: Dated July 31, 2025

Planner Note: This plan could adjust as the Planning Commission moves along. Updated versions will be posted publicly, as available.

PENINSULA TOWNSHIP ZONING ORDINANCE REWRITE SUBCOMMITTEE PROJECT PLAN

Subcommittee Members

- Kevin Beard (Planning Commission Chair)
- Julie Alexander (Planning Commission and Township Board)
- Donna Hornberger (Planning Commission)
- Sara Kopriva (Zoning Administrator)
- Elise Loud (Planner)
- McKenna & Associates (Consulting Firm)

Project Process

The committee team will meet monthly (second Monday of the month from 1-3pm at the Peninsula Township Conference Room) to prepare draft recommendations for monthly Planning Commission discussion.

Public Participation

- All subcommittee meetings and Planning Commission meetings are open to the public and will include time for public comment.
- We will host at least one public open house once the full ordinance draft is ready for review (tentatively planned for summer 2026).

Project Timeline

The project is anticipated to take 12-16 months to complete, from August 2025 through December 2026. Below is a monthly schedule for the Planning Commission. This details which zoning topics will be discussed at which Planning Commission meetings, to ensure the Planning Commission and public are prepared to participate.

September 2025

- Signage—overhaul Section 7.11 to be content-neutral as legally required. Incorporate suggestions from Agricultural Advisory Committee as best we can.
- Shoreline (Docks, Hoists, and Storage)—implement recommendations from shoreline advisory committee regarding dock location, increasing number of hoists, and storage locations.
- Short-term rentals—clarify that short-term rentals are not allowed in any non-commercial zoning district.
- Define and create process for “technical” amendments to Special Use Permits that does not require public review process.
- Clarify building height for Section 8.10 Hotel, Motel Tourist Courts.

Project Plan V4: Dated July 31, 2025

Planner Note: This plan could adjust as the Planning Commission moves along. Updated versions will be posted publicly, as available.

October 2025

- Begin land use standards. This is the big one! Review land uses by right, special land uses, and legally non-conforming land uses, and associated standards and approval processes, in all zoning districts. This includes recommendations from the Agricultural Advisory Committee regarding farm-processing land uses and agritourism.

November 2025

- Continue with land use standards.

December 2025

- Finish land use standards.

January 2026

- Community facilities. Create new zoning district for public land uses (Township Hall, fire/EMS, library, schools, parks, boat launches) and define uses allowed and standards.

February 2026

- Begin shoreline/floodplain. Post-holiday, dream about summertime and warm waters again. Tackle viewsheds, setbacks, landscaping, uses allowed within/along shoreline and floodplain.

March 2026

- Continue with shoreline/floodplain.

April 2026

- Finish shoreline/floodplain.
- Tackle loose ends—backyard chickens, etc.

May 2026

- Dark Night Sky. Consider necessary updates based on new lighting technology and uses.

June 2026

- Density. Review lot sizes in relation to public water and sewer. Consider urban services boundary to encourage relatively dense development towards the southern end of the peninsula.

July 2026

- Staff/consultant team codify ordinance text for review.
- Plan public input event for August.

Project Plan V4: Dated July 31, 2025

Planner Note: This plan could adjust as the Planning Commission moves along. Updated versions will be posted publicly, as available.

August 2026

- Public input event to review draft ordinance.
- Planning Commission Public Hearing #1

September 2026

- Planning Commission Public Hearing #2 & Recommendation to Township Board
- Township Board Public Hearing #1 (& potential decision)

By December 2026

- Township Board Decision