



# PENINSULA TOWNSHIP

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**PENINSULA TOWNSHIP  
PLANNING COMMISSION  
ZONING REWRITE AD HOC COMMITTEE AGENDA  
REGULAR MEETING  
September 8, 2025**

**Peninsula Township Hall**

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. **Approve Meeting Minutes**
  - a. August 11, 2025 Zoning Rewrite Ad-Hoc Committee Regular Meeting
9. **Business**
  - a. Ordinance Language Discussion
    - i. Special Use Permit Amendments
    - ii. Land Uses
  - b. Confirm Next Steps
10. **Brief Citizen Comments**
11. **Committee Comments**
12. **Adjournment**

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

Posted: September 2, 2025 at 12 p.m.

Elise Loud/Placecraft, Township Planner

# PENINSULA TOWNSHIP

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## Planning Commission Zoning Rewrite Ad Hoc Committee August 11, 2025, 3:00 p.m. Township Hall Minutes

1. **Call to Order by Loud at 7:00 p.m.**
2. **Pledge**
3. **Roll Call – Present:** Alexander, Beard, Hornberger; Township Planner of Record -- Elise Loud; **Virtual:** Sara Kopriva – Zoning Administrator, Peninsula Township; Brad Misner & Ethan Senti from McKenna Associates
4. **Approve Agenda**

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

**Motion Passes**

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

**Nancy R. Heller, 3091 Blue Water Road:** Suggests numbering and page counts for agenda items. Notes sign ordinance chart is unclear and incomplete, particularly for agricultural uses. Requests a contact person to address multiple detailed questions; advised to contact the township planner. Asks about opportunities to ask clarifying questions during discussion; advised such questions should be held until the second citizen comment period (Item 9).

6. **Communications**

- Marie-Chantal Dalese, Chateau Chantal
- Craig Haddix

7. **Conflict of Interest: none**

8. **Business**

- a. **Elect Officers (Chair, Vice-Chair)**

**Motion by Hornberger to appoint Beard as Chair and Alexander as Vice-Chair, seconded by Alexander.**

**Motion Passes**

- b. **Confirm Meeting Schedule – Second Monday (1-3 p.m.)**

Committee discusses regular meeting time: Second Monday of each month, 1:00–3:00 p.m., Township Hall. Agenda item was included to allow discussion if a different date/time was preferred; members agree current schedule still works (Alexander to verify availability). Question raised regarding the number of members required to establish a quorum; answer not immediately available and will be confirmed at a future meeting.

- c. **Ordinance Language Discussion**

- i. **Signage**

Draft language updated for content-neutral compliance under *Reed v. Gilbert*; focuses on size, location, and appearance rather than message. New Definitions: Temporary Directional Agricultural Use Sign, Temporary Seasonal Product Attraction/Readerboard Agricultural Use Sign. Agricultural District Standards (proposed): Off-premises ag signs: max 20 sq. ft., 8 ft. height, permit, property owner approval. On-premises: up to 20 sq. ft. plus 20 sq. ft. seasonal, 8 ft. height, permit, setbacks, possible lighting. Farm stand/roadside signs: suggested 9

sq. ft., max one sign (point for discussion). Next Steps: Send draft to Agriculture Advisory Committee (AAC) for Aug. 19 review, with crosswalk mapping AAC recommendations to draft. Provide visual examples, ordinance comparison memo, and confirm compliance with township attorney. Consider time limits for temporary/event signage and possible amortization for nonconforming signs.

ii. **Shoreline**

McKenna proposed a new section (3.13J) with more comprehensive standards for approvals, size, placement, storage, lighting, hoists, and shared waterfront (“keyholing”). Dock Length: Recommended length sufficient to reach ~6 ft water depth; current PC policy is no fixed max length, only “reasonable access” standard. Placement: Proposed midpoint of parcel + 20 ft either side, 50 ft between docks; simpler than projecting lot lines into water. Committee noted need for diagrams and possible minimum setbacks from property lines. Hoists: Draft allows 3 per 50 ft of dock; number remains debated (some prefer max 2). Discussion on whether moorings should count toward limit; enforcement history suggests 3 reflects current usage. Shared Waterfront: Special use permit proposed; must also comply with state/federal permits (e.g., Army Corps, EGLE). Other Issues Raised: Clarify when land use permits are required to avoid administrative burden. Consider limits for dock patios/swim platforms (current avg 12x16). Address safety/visibility for docks/hoists entirely in water. Possible regulation of structures/awnings on docks. Allow flexibility for existing seawalls and limited winter storage space. Next Steps: Reconvene Shoreline Subcommittee (Randy Hall & Susie Shipman) to review draft, resolve hoist number, clarify mooring rules, and refine placement/size standards with visuals.

iii. **Short-Term Rentals**

Non-owner-occupied dwellings in residential districts must be rented for 30 days or more; rentals for less than 30 days are not permitted. McKenna verified that this restriction is clearly stated in both the land use table (Section 3.06) and in the use standards for each residential zoning district, using the 2019 draft ordinance as reference. Proposed Clarification: Add definition/provision prohibiting subletting arrangements that circumvent the 30-day minimum (e.g., one lessee rents for 30 days but then rents out in shorter terms).

iv. **Special Use Permit Amendments**

Existing code requires the same full process for all SUP amendments as for initial applications—time-consuming, costly, and burdensome for minor changes. Proposed Change in Review Standard: Initial SUPs: Keep “substantial improvement” benefit test (property, neighbors, community). Amendments: Use a “no material detriment” test instead. Remove “major/minor” categories. Create technical amendments (e.g., lot line adjustment, small site change) handled by zoning administrator but still reviewed by PC for confirmation. Explore a simplified review path for small, low-impact changes (e.g., playground addition, storage shed) without full SUP process. Concerns & Considerations: Prevent “gaming” the system via multiple small amendments to avoid full review. Address legal non-conforming properties and allow reasonable updates without forcing full compliance. Incorporate public feedback (e.g., Craig Haddix letter). Staff to review past Planning Commission minutes and work with McKenna to draft language, pulling in best practices from similar rural communities. Incorporate prior subcommittee draft language and highlight discussion points for further review. Consider adopting ordinance updates incrementally rather than waiting for full zoning rewrite, ensuring no unintended gaps in definitions or cross-references.

c. **Confirm Next Steps**

Review and update land uses and associated standards for all zoning districts (residential, agricultural, commercial). Ensure allowed uses are appropriate for each district. Determine which uses should be by right vs. special use. Create clear, objective standards to replace reliance on broad SUP criteria where possible. Agricultural Zoning: Will be included in review, addressing current public interest in potential updates. Timeline: Allocated three months for subcommittee and Planning Commission discussion (may take longer due to scope). Next Meetings: September PC Meeting: Review signage, shoreline, short-term rentals, and SUP amendments. September Subcommittee Meeting: Begin land use standards review.

### 9. Citizen Comment:

**Rose Sickle, 9449 Center Road:** Has 60 ft of shared waterfront frontage across the road; has been attending meetings on the topic for two years. Expresses desire to see shared frontage regulations resolved soon. Asks whether a special use permit or other agency approvals (e.g., EGLE) are required for their shared frontage situation.

**Kopriva:** Requirements depend on the property's prior approvals and existing use; each case is individual. Encourages following up directly for clarification.

**Monnie Peters, 1425 Neahtawanta Road:** Addresses dock/hoist placement along shoreline. Suggests that requiring placement at the midpoint of a parcel is not always practical; shorelines shift annually. Recommends instead allowing docks anywhere along frontage within a setback from neighboring properties (suggests 10–15 ft). Cites personal experience: dock location changes yearly due to shoreline changes; setback approach would provide flexibility.

**Scott Duensing, 1777 Buchan Drive:** former member of the Shoreline Study Group; emphasizes the group's goal to gain citizen buy-in and bring 80–90% of properties (single-owner and shared frontage) into conformity for consistent enforcement. Concerned about proposals to require Army Corps of Engineers permits for docks/hoists. Believes regulation should remain local, with residents policing themselves, rather than ceding control to federal authorities. Cites example: one shared frontage under federal permit limited to 1 hoist per 12 ft—seen as overly restrictive compared to the group's intended reasonable standards.

**Kip Nickel, 1015 Quaker Valley Drive:** Shares concerns similar to Scott Duning regarding Army Corps of Engineers permit requirements for shared waterfront docks. Asks for clarification on whether such permits would be retroactive; warns this could create a significant administrative burden for property owners, the township, and state/federal agencies. Notes difficulty in differentiating between shared and private waterfront situations for enforcement purposes. Questions the need for the regulation, citing no changes in dock/hoist numbers in his neighborhood for 42 years. On hoist limits: Opposes reducing from current practice (three per 50 ft) to two, warning it would force boat removals; emphasizes that three per 50 ft reflects long-standing practice in many areas.

**Sylvia Rombis, 10895 Peninsula Drive:** Opposes increasing allowable hoists to make currently noncompliant HOAs compliant, comparing it to raising a speed limit to match violators' behavior. Notes 13 of 33 HOAs are noncompliant; believes rule changes would benefit a select few at the expense of the broader community. Expresses concerns about environmental and quality-of-life impacts: more pollution, waste, congestion, and winter storage challenges. Criticizes some HOAs for willfully breaking existing rules. Supports self-regulation where possible and allowing neighbors to share docks to reduce total dock numbers. Emphasizes protecting shoreline, ecology, and community interests over accommodating violators.

### 10. Committee Comments

September 2 Planning Commission Meeting: Present cleaned-up draft language on signage, shoreline, and short-term rentals, incorporating committee feedback and Agriculture Advisory Committee (AAC) input where available. Future Agendas: Will include specific dates for each topic's Planning Commission and committee reviews for clarity to both members and the public. Clarification from Hornberger: 3 hoists per dock comment referred to individual dock owners (often with multiple families or shared docks), not shared/HOAs. Suggestion to invite a member of the Agriculture Advisory Committee to join the Zoning Rewrite Ad Hoc Committee—committee agreed and will be proposed at next AAC meeting.

### 11. Adjournment

**Motion** by Hornberger to adjourn, seconded by Alexander.

**Motion passes**

**Meeting Adjourned at 3:03 p.m.**



# Memorandum

**TO:** Zoning Ordinance Rewrite Committee

**FROM:** Brad Misner, AICP, NCI  
Christopher Khorey, AICP

**SUBJECT:** **Special Use Permit Applicability and Standards Discussion**

**DATE:** September 4, 2025

This memo is intended to guide discussion on when Special Use Permits (SUPs) should be required in the Township’s zoning ordinance. The aim is to clarify which uses truly warrant case-by-case review—a process that can be cumbersome and difficult to apply consistently—and which uses might instead be permitted by right, while still addressing community concerns through targeted performance standards and other tools. Below is an outline of the content of this memo:

- I. Status of Special Use Permit Requirements**  
*What uses require SUPs in the 2019 draft ordinance?*
- II. Where SUP Requirements Should be Retained**  
*Which uses clearly continue to justify an SUP requirement?*
- III. Where SUP Requirements Should be Reevaluated**  
*Which uses could instead be permitted by right with targeted performance standards?*
- IV. Feedback Requested**  
*Questions to Guide Discussion and Feedback*
- V. Proposed Standard Language**  
*Ordinance Language for Proposed Additional Standards*

## I. STATUS OF SPECIAL USE PERMIT REQUIREMENTS

The 2019 Draft requires SUPs for the following uses in each district. Proposed changes are shown in redline.

Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1	Development Standard
Airports and Airfields	SU						<a href="#">Section 3.14</a>
Bed and Breakfasts	SU	SU	SU	SU	SU		<a href="#">Section 6.03</a>
Child Care Centers (15+ Children)						SU	<a href="#">Section 6.04</a>
Dwelling, Multiple-Family	SU	SU	SU	SU	SU		<a href="#">Section 6.07</a>
Farm Supply and Implement Dealers						SU	
Food Processing Plant	SU						<a href="#">Section 6.10</a>
Game or Hunting Preserves Operated for Profit	SU						



Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1	Development Standard
Gas Stations						SU	<a href="#">Section 6.11</a>
Greenhouses and Nurseries (Retail Sales)	SU						<a href="#">Section 6.13</a>
Hotels and Motels						SU	<a href="#">Section 6.15</a>
Indoor Recreation						SU	<a href="#">Section 6.16</a>
Institutional Structures and Uses	SU	SU	SU	SU	SU	SU	<a href="#">Section 6.17</a>
Junk Yards						SU	<a href="#">Section 6.18</a>
Kennels	SU						<a href="#">Section 6.20</a>
Marinas						SU	<a href="#">Section 6.21</a>
Mobile Homes (not in a Mobile Home Park)	P	SU	SU	SU	SU		<a href="#">Section 6.22</a>
Mobile Home Park Developments					SU		<a href="#">Section 6.23</a>
Off-Street Parking Lots						SU	<a href="#">Article 9</a>
Planned Unit Development	SU	SU	SU	SU	SU		<a href="#">Section 5.01</a>
Professional Offices						SU	
Raising of Fur Bearing Animals for Profit	SU						
Recreational Unit Park	SU						<a href="#">Section 6.25</a>
Recreational Unit Sales						SU	
Restaurants and Taverns						SU P	
Retail Stores						SU P	
Riding Stables and Livestock Auction Yards	SU						
Sawmills	SU						
Self Service Storage Facility						SU	<a href="#">Section 6.28</a>
Service Institutions						SU	
Sewage Treatment and Disposal Installations	SU	SU	SU	SU	SU	SU	<a href="#">Section 6.29</a>
Solar Energy Systems, Ground-Mounted (over 10kW)	SU						<a href="#">Section 6.30</a>
Storage for Agricultural Products	SU						
Utilities						SU	
Veterinary Hospitals and Clinics	SU						



Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1	Development Standard
Warehousing and Light Industrial						SU	<a href="#">Section 6.32</a>
Warehousing of Products Sold at Retail on the Premises						SU	
Wind Energy Conversion Systems (WECS)	SU	SU	SU	SU	SU	SU	<a href="#">Section 6.33</a>
Winery, Remote Tasting Room	SU						<a href="#">Section 6.35</a>
Winery-Chateau	SU						<a href="#">Section 6.36</a>
Wireless Communications Facilities	SU					SU	<a href="#">Section 6.37</a>

## II. WHERE SUP REQUIREMENTS SHOULD BE RETAINED

Of the above uses, many involve activities that inherently raise issues related to noise, odors, intensity of activity, or environmental sensitivity. These are appropriate candidates for SUP review, and should retain the SUP requirement.

## III. WHERE SUP REQUIREMENTS SHOULD BE PERMITTED BY RIGHT

Other uses may not inherently require an SUP. McKenna specifically highlights food establishments such as restaurants and taverns, and retail stores as uses that should be reconsidered for permission by right. Proposed changes are shown in the use table above. Several uses, including winery establishments like tasting rooms and chateaus, and facilities for the storage for agricultural products could also be reconsidered for permission by right, but further legal guidance is needed in light of recent rulings.

Planning Commission members have expressed concerns about the impact of some of these establishments, which raises the question: what specifically about these businesses prompted a desire for SUP oversight? Possible factors may include:

- Outdoor seating and related impacts
- Live or recorded entertainment
- Traffic generation and parking demand
- Noise
- Lighting
- Trash pickup and removal
- Hours of operation

Rather than broadly requiring SUPs, which creates difficulties in terms of consistent application and greatly increases the amount of review and decision making required by the Planning Commission, McKenna proposes the regulation of the underlying issues directly. Examples of ordinance language to regulate some of the above issues are included in the “Proposed Standard Language” section.

## IV. FEEDBACK REQUESTED

1. Which uses should always be elevated to PC review and retain SUP requirements?



2. Which concerns about restaurants and similar establishments can be addressed through targeted standards rather than blanket SUPs?
3. Does the committee see a “Good Neighbor Policy” or similar condition functioning as an effective tool to manage/resolve future conflicts (in conjunction with other standards)?

## V. PROPOSED STANDARD LANGUAGE

### **Good Neighbor Policy**

One tool sometimes used in these situations is requiring a “Good Neighbor” Policy as a condition of opening a business. Communities that have implemented such policies use them both to (1) prevent conflicts and disturbances before they arise, and (2) provide a clear process for resolving issues directly between neighbors, without immediately involving the Township. While Township action will still be necessary in some cases, a good neighbor document offers a framework for resolution at the community level before escalation becomes necessary.

This document would be signed by the operator and kept on file, outlining:

- A designated point of contact for neighbors seeking to resolve an issue impacting their property
- Requirements for regular inspection of the site boundaries for litter and other items discarded by patrons
- Management of noisy patrons entering and exiting the premises.

Examples of standards included in typical Good Neighbor Policies are below:

*A point of contact and phone number shall be provided to neighbors within x feet of the business to direct inquiries and to help resolve any issues related to noise, parking, or hours of operation.*

*The premises shall at all times conduct operations in a manner not detrimental to surrounding properties by reason of lights, noise, activities or other actions. The operator of the premises shall control noisy patrons leaving the premises.*

*Notices shall be prominently displayed urging patrons to leave the premises and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood.*

*Employees of the premises shall walk within a 100-foot radius from the premises at some point prior to 30 minutes after closing and shall pick up and dispose of any discarded beverage containers and other trash left by patrons.*

Paired with targeted performance standards, this approach could reduce the need for SUP review in every case while still holding businesses accountable for their impacts on the community and surrounding uses.

### **Retail**

*Definition: A business that sells products or provides services on the premises directly to consumers. Uses that fit this definition but are defined elsewhere in this Ordinance shall be considered to fall under the more specific definition.*

*Standards: For retail uses encompassing greater than 50,000 square feet of gross floor area, including multi-tenant retail complexes exceeding 50,000 total square feet, a Special Use Permit shall be required, and the following shall apply:*



*Must be served by existing or programmed essential services including sufficient well and septic service as determined by the County Health Department.*

*Principal access shall be from a major highway or county primary road, unless a neighborhood shopping center.*

*A transition strip of no less than fifty (50) feet is required along all sides of the site abutting a residentially planned, zoned, or used parcel and/or an institutional use, and along all public rights-of-way. This area shall be landscaped in accordance with subsection F.4 of Section 5.8 Landscaping, greenbelts, buffering and screening.*

*No structure shall be located closer to any property line of the shopping center than a distance equal to twice its height.*

### **Outdoor Seating**

*Standards (for Outdoor Seating). Outdoor seating for restaurants shall meet the following requirements. In the case of an existing restaurant adding outdoor seating, a site plan shall be submitted for review by the Zoning Administrator to determine if the standards are met. In the case of a new restaurant, the Planning Commission shall review the following standards during the Site Plan Approval process.*

*The outdoor seating shall be accessory to a fully operational restaurant located on the same site.*

*Outdoor food preparation may be permitted, provided that the location and type of cooking equipment is shown on the site plan, and subject to any conditions that may be imposed by the Township to minimize off-site impacts of such operations.*

*On-site music, either live or through speakers, shall be permitted in the outdoor seating area, but shall not be audible from the nearest single family home, and shall not drown out music played at any other nearby outdoor seating area.*

*Outdoor seating shall not face directly onto a lot used for single family residential purposes.*

*The site plan must include a written description of the storage of tables, chairs, and equipment when the outdoor seating is not in use.*

*Outdoor seating shall be subject to review and approval by the Fire Department.*

*The hours of operation for the outdoor seating shall be included on the site plan and subject to Township approval.*

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*Outdoor seating for restaurants, bars, coffee shops, ice cream shops, and other businesses in commercial zones shall meet the following requirements.*

*Businesses proposing outdoor seating shall submit a site plan showing the layout of the outdoor seating area for a site plan review by the Planning Commission.*

*The hours of operation for the outdoor seating shall be included on the site plan and are subject to Township approval.*

*Outdoor seating shall be included in the calculation of required parking for the principal use of the site, and any additional required parking spaces triggered by the addition of outdoor seating must be constructed before the outdoor seating can be used.*

*Outdoor seating shall be subject to review and approval by the Fire Department and all relevant County or State approvals.*

### **Restaurants with Entertainment**

*Restaurants may provide entertainment, including, but not limited to, music, DJs, song, dance, stand-up comedy, and poetry readings for the patrons' enjoyment if they meet the following standards.*

- 1. There is sit down meal service provided at all times while the entertainment is taking place.*
- 2. There is no permanent or temporary dance floor or dance area for patrons.*
- 3. There is no cover charge or minimum drink purchase requirement.*
- 4. The entertainment is provided only in the dining areas.*
- 5. (SPORTS BAR) No more than 3 television screens including video projectors or similar audio/visual devices shall be utilized on the premises. No billiard/pool tables, video games, bowling, darts, and other similar entertainment activities may be provided.*
- 6. Liquor bottle service shall be prohibited. Wine and beer bottle service shall not be available to patrons unless full meal service is provided concurrent with the bottle service. All food items shall be available from the full service menu. Bottle service shall mean the service of any full bottle of liquor, wine, or beer of more than 375 ml, along with glass ware, mixers, garnishes, etc., in which patrons are able to then make their own drinks or pour their own wine or beer.*
- 7. No organized queuing of patrons at the entry or checking of identification to control entry into and within the establishment shall be permitted. There shall not be any age limitation imposed restricting access to any portion of the restaurant.*
- 8. The establishment shall not organize or participate in organized "pub-crawl" events where participants or*



*customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the restaurant.*

9. *Establishments with amplified music shall comply with Noise Ordinance.*