



PENINSULA TOWNSHIP

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**PENINSULA TOWNSHIP
PLANNING COMMISSION
ZONING REWRITE AD HOC COMMITTEE AGENDA
SPECIAL MEETING
October 14, 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. September 8, 2025 Zoning Rewrite Ad-Hoc Committee Regular Meeting
9. **Business**
 - a. Ordinance Language Discussion
 - i. Signage
 - ii. Special Use Permit Process
 - iii. Land Uses Table
 - iv. Short Term Rentals
 - v. 40 Acre Minimum for Processing Facilities
 - 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: October 9, 2025 at 3 p.m.

Elise Loud/Placecraft, Township Planner

**Approval of Meeting Minutes
September 8, 2025 Regular Meeting**



PENINSULA TOWNSHIP

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

**Planning Commission
Zoning Rewrite Ad Hoc Committee
September 8, 2025, 1:00 p.m.
Township Hall
Minutes**

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

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

Motion Passes

5. Brief Citizen Comments:

Sally Erickson, 2228 Kaukauna Court: asks if Shoreline discussion was added to today’s agenda following Thursday’s meeting. (Chair clarifies that a redlined draft will go before the Planning Commission next month, not this committee.) Raises concern about increased density, stating the rewrite appears to meet the needs of violators rather than the community. Expresses appreciation for transparency and looks forward to resolutions to prevent future beach issues.

William Walsh, 8532 Eastbeach Trail: states he served on the shoreline subcommittee and at times represented Underwood Farms Association but speaks today as a private citizen. Expresses support for increasing zoning code from one to two but not three, noting three is excessive. Suggests counting a personal watercraft hoist as one half of a standard hoist. Recommends any annual permit for multi-use sites be kept simple, with an option to indicate no changes year to year. Notes Underwood Farms Association is one of thirteen associations in compliance with ordinance 7.4.2 and emphasizes willingness to work with the township.

Katherine Pike, 6095 Red Fox Run: expresses concern about increased shoreline density, citing negative visual impact, boat wakes affecting the environment, and potential damage to the road base. Emphasizes need to protect shoreline plants and trees. Requests rules to prevent docks from being placed at severe angles that block neighbors’ views or interfere with swimming access.

Kristin Erickson, 6379 Mission Pointe: member of East Beach Association, voices opposition to increased shoreline density. States peninsula’s curves and coves make three boats per 50 feet unsafe and congested. Argues proposal arises from lack of enforcement of the current ordinance and urges township to maintain existing density while enforcing current rules.

Kip Nickel, 1015 Quaker Valley Drive: states his association has responsibly managed its harbor at three boats per 50 feet for 40 years without safety or neighbor issues, maintaining required offsets and consulting neighbors on dock placement. Notes many neighborhoods operate at three per 50 feet and manage effectively. Warns that enforcing one or two per 50 feet would force owners out of harbors, create dissatisfaction among property

buyers, and lead to challenges for the township. Expresses appreciation for the shoreline study group and supports continued cooperation with the planning commission and board.

Nancy R. Heller, 3091 Blue Water Road: raises housekeeping concern about inconsistency in the agenda regarding public comment. Questions whether comments may address agenda items or only non-agenda items. Notes last-minute packet addition on signs is confusing and urges definitions and clarity. Provides parcel counts for ag-zoned properties and cautions against misinterpretation. Highlights specific language in the draft ordinance, supporting stronger accountability for business impacts but requesting more attention to parking, traffic, noise, and fire code placement. Finds memorandum unclear and difficult for applicants to understand, particularly regarding temporary non-commercial sign allowances. Requests clarification on whether amendments to off-premise signs are finalized. Chair and planner clarify the draft reflects feedback from the agricultural advisory committee, zoning rewrite, and planning commission, and is still in process. Reiterates concern that the proposed ordinance and diagram are unclear.

Howard Pike, 6095 Red Fox Road: comments on shoreline regulations and emphasizes desire to swim safely offshore from his beach. States increased density creates risks from boat traffic and pollution from oil and gasoline, making swimming less safe and water quality poorer, particularly when slips are located in front of his property.

Andy Smits, 8458 Peninsula Drive: asks about timing of proposed shoreline revisions and is told a markup will go to the Planning Commission October 7. Notes current ordinance and proposed changes lack a process for addressing site-specific conditions such as topography, boulders, and lake level changes that affect dock placement. States a one-size-fits-all ordinance without provisions for waivers will be difficult to enforce and limit property rights. Urges consideration of lake-bed complexity and seasonal changes when drafting regulations.

6. Communications:

Includes a memorandum from McKenna comparing current and proposed sign ordinances, available on the township website, and a September 4 memo on special use permit applicability and standards. No other communications reported.

7. Conflict of Interest: none

8. Approve Meeting Minutes

a. August 11, 2025 Zoning Rewrite Ad-Hoc Committee Regular Meeting

Motion by Hornberger to approve the minutes, seconded by Alexander.

Motion Passes

9. Business

a. Ordinance Language Discussion

i. Special Use Permit Amendments

Discussion centers on special use permits and when land uses should require them versus being permitted by right with performance standards. Consultants from McKenna note that clear, consistent standards for uses like restaurants and retail could reduce the need for full permit review while still addressing noise, parking, trash, and hours. Committee raises questions about restaurants at wineries and supports applying uniform standards. Outdoor seating and entertainment are discussed as site features rather than land uses, allowing consistent regulation regardless of business type. Committee favors drafting language that separates outdoor dining from entertainment and applies township-wide standards. Golf courses are noted as missing from a recent memo; consultants explain they were removed in a prior draft but must remain allowed to avoid exclusionary zoning. Committee agrees draft language should move forward and emphasizes need for clarity in the special use permit process, especially for amendments. Subcommittee has prepared revisions defining major, minor, and technical changes, and consultants are asked to present a draft at the November 10 meeting.

ii. Land Uses

Committee reviews land uses in the A-1 Ag-district. Begins with keeping of domestic pets, noting the need to distinguish between household pets and livestock. Consultants explain that thresholds such as number of dogs can trigger kennel regulations, but members suggest relying on county animal control rather than setting local

limits. RV storage is raised, with concern about large-scale or commercial operations. Consultants note standards such as setbacks and screening could regulate the use but clarify that commercial storage would need stricter controls. Site condominiums are discussed as an ownership structure rather than separate land uses. Subdivisions are discussed. Members emphasize the need for clear lot size and open space rules, with the possibility of creating a large-lot residential zoning category to avoid piecemeal negotiations. Committee confirms rental of non-owner-occupied dwellings for 30 days or more is permitted in all districts, while renting for fewer than 30 days is prohibited. Pet-sitting is reviewed as a defined business limited to four animals; members question whether it should instead be treated as a home occupation. Commercial district uses are reviewed and considered appropriate. Members propose creating a community facilities district to cover township-owned lands such as parks, schools, libraries, cemeteries, and boat launches, which would make them conforming and simplify modifications. Consultants caution that mapping must be precise and avoid private property. Committee notes building height limits have already been updated by ordinance and should be carried over intact.

b. Confirm Next Steps

Consultants list tasks including developing performance standards for restaurants, evaluating outdoor dining and entertainment as site standards, drafting special use permit amendment language, clarifying domestic pets versus kennels, creating standards for recreational vehicle storage, ensuring consistency in rental regulations, reviewing pet sitter classification, considering a community facilities district, and aligning building heights with ordinance 204. Updated draft of all reviewed sections will be prepared for October, with signage discussion added to that agenda. Staff and consultants plan to meet with the township attorney to confirm ordinance revisions do not conflict with current litigation. Attorney advises staying the course, with further guidance expected before the October meeting. Committee agrees to reschedule next meeting from October 13 to October 14 at 1:00 pm. Following meeting set for November 10.

10. Brief Citizen Comments:

Sally Erickson, 2228 Kaukauna Court: compliments the committee's work, praising the community facilities district concept and separation of outdoor dining from restaurants. Notes this approach could also apply to homes hosting events or one-off gatherings. Cautions that increased shoreline density may lead to rental of slips, creating issues similar to vacation rentals on the lake. Emphasizes the peninsula as a special resource and appreciates the committee's attention to detail.

Nancy Heller, 3091 Blue Water Road: stresses that outdoor seating should always require fire department review due to fire code considerations, noting this would save time and money for applicants and the township. Emphasizes Peninsula Township has little commercial land and should not rely on standards from other areas, as local businesses are typically surrounded by residences. Calls for clear, enforceable ordinances with guidelines to aid enforcement. Appreciates the committee's consultation with the attorney and cautions attention to the ongoing lawsuit.

10. Committee Comments

Chair requests planner and recording secretary ensure committee minutes are shared with the Planning Commission so members receive a written synopsis of discussions.

11. Adjournment

Motion by Hornberger to adjourn, seconded by Alexander.

Motion passes

Meeting Adjourned at 2:40 p.m.

Signage

Signage content in progress, will be added as a packet addition

Special Use Permit Amendment Process

Ordinance_____.

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

ARTICLE VIII: USES AUTHORIZED BY SPECIAL USE PERMIT

SECTION 8.1 GENERAL STANDARDS AND REQUIREMENTS:

Section 8.1.1 Intent and Purpose:

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

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

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

P=Permitted by Right without Specific Standards

P* = Permitted by Right with Specific Standards

SC= Permitted with Special Conditions

SU = Permitted by Special Use Permit

ZBA = Permitted by ZBA Approval

Blank = Not Permitted

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

<u>Use</u>	<u>A-1</u>	<u>R-1A</u>	<u>R-1B</u>	<u>R-1C</u>	<u>R-1D</u>	<u>C-1</u>
<u>Solar Energy Systems, Accessory Roof Mounted</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Solar Energy Systems, Accessory Ground Mounted, <10 kW</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Solar Energy Systems, Accessory Ground Mounted, 10-30 kW</u>	<u>P</u>					
<u>Solar Energy Systems, Principal Ground Mounted, 10-30 kW</u>	<u>SU</u>					
<u>Solar Energy Systems, Accessory Ground Mounted, >30 kW</u>	<u>SU</u>					
<u>Special Open Spaces</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	
<u>Storage for Agricultural Products</u>	<u>SU</u>					
<u>Storage of Trailer Units</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Tasting Room, Remote</u>	<u>SU</u>					
<u>Temporary Buildings</u>		<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	
<u>Tenant House for Farm Employees</u>	<u>P*</u>					
<u>Veterinary Hospitals, Clinics, and Kennels</u>	<u>SU</u>					
<u>Warehousing and Light Industrial</u>	<u>SU</u>					
<u>Wind Energy Conversion Systems</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>
<u>Wireless Telecommunication Antenna Towers</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>

Section 8.1.2 Permit Procedures:

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

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

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

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

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

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

(3) Township Board and Planning Commission Actions:

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

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

(c) Upon receipt of a recommendation from the Planning Commission, the Township Board shall publish in a newspaper having a general circulation in the Township, one (1) notice that a

request for special land use approval has been received.

1. The content of the notice shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Final Approval & Conditions.

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

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

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

(4) Phasing.

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

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

(5) Commencement and Completion.

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

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

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

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

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

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

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

Section 8.1.3 Basis for Determinations:

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

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

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

~~as a whole.~~

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

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

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

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

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

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

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

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

Section 8.1.3 Amendments to Special Use Permits

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

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

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

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

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

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

Land Uses Allowed



Memorandum

TO: Zoning Ordinance Rewrite Committee

FROM: Brad Misner, AICP
Christopher Khorey, AICP
Ethan Senti

SUBJECT: Allowable Uses Summary Chart - Updated

DATE: October 1, 2025

As previously discussed, below please find a summary chart showing the land uses listed in the **currently in-force** Peninsula Township Zoning Ordinance, and which Zoning Districts that are allowed in, by right or by Special Use. This table reflects the core Zoning District sections of the Ordinance (Sections 6.2-6.7), the Supplementary Uses in Section 7.2, the Miscellaneous Special Uses in Section 8.7, and the uses defined and regulated in Amendments 201, 203, and 204.

Where a land use is called by two different names in two different places in the Ordinance, but is clearly the same land use, we have included both in the chart together.

TABLE OF USES

P=Permitted by Right without Specific Standards

P* = Permitted by Right with Specific Standards

SC= Permitted with Special Conditions

SU = Permitted by Special Use Permit

ZBA = Permitted by ZBA Approval

Blank = Not Permitted

Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1
Accessory Buildings/Customary Incidental Buildings	P	P*	P*	P*	P*	
Adult Foster Care Facilities	SU					
Agricultural Labor Camp, Unlicensed, <5 Residents	P					
Agricultural Labor Camp, Licensed	P					
Airports and Airfields	SU					
Animals: Keeping of Domestic Pets		P	P	P	P	
Animals: Keeping of Small Animals (Poultry, Rabbits, Goats)	P					
Animals: Keeping of Livestock (Cattle, Hogs, Horses, Sheep, and Similar)	P					
Animals: Raising of Fur Bearing Animals for Profit	SU					
Barn Storage	P*					
Bed and Breakfast Establishments	SU	SU	SU	SU	SU	
Boat Hoists and Docks		SU	SU	SU	SU	



Use	A-1	R-1A	R-1B	R-1C	R-1D	C-1
Cemeteries, Public or Private	P					
Conservation Areas, Public or Private	P					
Day Care Homes, Family	P*	P*	P*	P*	P*	
Day Care Homes, Group	P*	P*	P*	P*	P*	
Decks and Storage		P*	P*	P*	P*	
Dwellings, Single Family	P	P	P	P	P	
Dwellings, Two Family	P		P	P	P	
Dwellings, Temporary	ZBA	ZBA	ZBA	ZBA	ZBA	
Day Care Homes, Family		P*	P*	P*	P*	
Day Care Homes, Group		P*	P*	P*	P*	
Entertainment (accessory to a Retail Farm Processing Facility)						
Farm Processing Facility, Retail, with Indoor Sales	SU					
Farm Processing Facility, Retail, with Indoor Sales and Outdoor Seating Area	SU					
Farm Processing Facility, Wholesale	P*					
Farm Stand	P*					
Food Processing Plant	SU					
General Farming and Horticultural Uses/Field Crop and Farming/Active Production/Farm Operation	P	P*	P*	P*	P*	
Golf Courses and Country Clubs	SU		SU	SU	SU	
Greenhouses and Nurseries	SU					
Guest House		P*	P*	P*	P*	
Home Occupations	P	SC	SC	SC	SC	
Hotels, Motels, and Tourist Courts						SU
Institutional Structures and Uses	SU	SU	SU	SU	SU	
Incinerators	SU					
Livestock Auction Yards	SU					
Marinas						SU
Mining and Removal of Topsoil	P*					
Mobile Homes (Outside of Mobile Homes Parks)	P*	SU	SU	SU	SU	
Mobile Home Park Developments					SU	
Outdoor Storage	P*					P*
Planned Unit Development	SU	SU	SU	SU	SU	
Public Buildings	SU					
Public Recreation/Public Areas and Public Parks	P*	P	P	P	P	
Recreational Unit Park	SU					
Rental of Non-Owner Occupied Dwelling		P*	P*	P*	P*	
Retail Stores and Shops (includes Restaurants and Offices)						SU
Riding Stables	SU					
Sanitary Fills, Sewage Treatment, and Disposal Installation	SU					
Self-Service Storage Facility						SU
Solar Energy Systems, Accessory Roof Mounted	P	P	P	P	P	P
Solar Energy Systems, Accessory Ground Mounted, <10 kW	P	P	P	P	P	P
Solar Energy Systems, Accessory Ground Mounted, 10-30 kW	P					
Solar Energy Systems, Principal Ground Mounted, 10-30 kW	SU					
Solar Energy Systems, Accessory Ground Mounted, >30 kW	SU					
Special Open Spaces	SU	SU	SU	SU	SU	
Storage for Agricultural Products	SU					
Storage of Trailer Units		P	P	P	P	
Tasting Room, Remote	SU					



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

SECTION 5.01:

Intent

Each use listed in this Article, whether permitted by right or subject to approval as a special land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use that is of a size or type, or that possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

SECTION 5.02:

Accessory Uses and Buildings

1. **Definition.** Uses and buildings located on the same lot as a principal use and/or building, and subordinate in both use and design to the principal building and/or use.
2. **Permitted by Right.** All Zoning Districts.
3. **Permitted by Special Use Permit.** None.
4. **Standards.**
 - A. All accessory buildings and structures must meet all applicable requirements of the Building Code.
 - B. **Attached Accessory Buildings.** Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations in this Ordinance applicable to main buildings, including but not limited to, setbacks and height.
 - C. **Detached Accessory Buildings.**
 - (1) No detached accessory building shall extend in front of the front building line of the principal building except
 - (2) **Setback Requirements.**
 - a. **Front.** Accessory buildings shall not be located in the Front Yard, except in the following circumstances:
 - (i) On lakefront lots, where accessory buildings may be located in the front yard without a Special Use permit, provided that the accessory building is set back at least 10 feet from the front lot line.
 - (ii) When approved for a Special Use Permit under SECTION 5.02.4.D.
 - b. **Side.** The minimum setback from a side lot line shall be 5 feet. However, along at least one side lot line, a clear 15 foot path must be maintained from the front yard to the back yard, for access by emergency vehicles.
 - c. **Rear.** The minimum setback from a rear lot line shall be 5 feet.
 - d. **From Another Building.** The minimum setback between an accessory building and any other building (principal or accessory) shall be 10 feet.
 - (3) A detached accessory building may occupy not more than thirty-five percent (35%) of the rear yard.

- (4) No detached accessory building in any district except AR or RR shall exceed one (1) story or fourteen (14) feet in height. Accessory buildings in AR or RR Districts may be constructed to equal the permitted height of principal structures in the respective district.
 - (5) When an accessory building is located on a corner lot, it shall not be located so that it is visible from windows on the front wall of any principal building on an adjacent lot.
- D. **Accessory Buildings in Front Yard – Special Land Use.** The Planning Commission may approve a Special Land Use to allow an accessory building in a front yard. In determining whether to grant a Special Land Use permit for an accessory structure in a front yard, the Planning Commission shall determine whether or not the proposed structure meets the following criteria:
- (1) The structure meets the minimum front setback requirement for principal buildings for the district it is located within.
 - (2) The structure meets all requirements for accessory buildings, other than being located in the front yard.
 - (3) The accessory structure cannot be located in the side or rear yards due to at least one of the following factors:
 - a. **Natural Features**
 - b. **The dimensions of the lot.**
 - c. **Existing structures.**
 - d. **The stated purpose of the accessory structure, which must accessory to the principal use of the site.**
- E. **Timing of Accessory Building Construction.**
- (1) No accessory building shall be constructed on a lot that does not contain a principal building.
 - (2) No principal building shall be demolished without demolishing all accessory structures on the same lot, or constructing a new principal building within 2 years of the demolition of the original principal building. The Planning Commission may extend the 2 year time limit upon demonstration of a non-financial hardship by the property owner.
 - (3) If the principal building is destroyed by fire, natural disaster, or other cause outside the control of the property owner, either all accessory structures on the same lot must be demolished, or a new principal building must be constructed within 2 years of the destruction of the original principal building. The Planning Commission may extend the 2 year time limit upon demonstration of a non-financial hardship by the property owner.
 - (4) If a principal building is ordered to be demolished due to violations of Township Ordinances or State Laws, then all accessory buildings on the same lot must also be demolished.
- F. **Accessory Dwelling Units.** Accessory Dwelling Units (ADUs) shall be permitted as described below. A Land Use Permit, as described in Section 18.03, shall be required prior to construction.
- (1) **Purpose and Intent.** In a rural context, Accessory Dwelling Units can fill a niche in the housing market without sacrificing agricultural and natural character, if built in a way that is consistent with the Township's Master Plan and vision for itself, and that can be supported by existing infrastructure. Therefore, Accessory Dwelling Units meeting the standards of this section are considered appropriate and approvable.
 - (2) **Minimum Lot Size:** 50,000 square feet.

- (3) **Minimum Dwelling Unit Size:**
- a. **Attached ADUs do not have a minimum dwelling unit size.**
 - b. **Detached ADUs must be at least 600 square feet.**
- (4) **Maximum Dwelling Unit Size:**
- a. **Attached ADUs shall not exceed 1/3 the gross floor area of the Principal Dwelling Unit (PDU).**
 - b. **Detached ADUs shall not exceed 800 square feet.**
 - c. **Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.**
- (5) **Setbacks.** ADU's must meet the lot dimensions and setbacks of the corresponding zoning district for Principal Buildings.
- (6) **Lot Coverage.** ADU's shall count towards all lot coverage maximums of the corresponding zoning district.
- (7) **The PDU must be owner occupied.**
- (8) **Detached ADU Regulations.**
- a. Detached ADUs on flag lots shall only be approved if all requirements of Section 12.23 are met.
 - b. Permitted in the rear or side yard with a minimum 25 foot setback from the PDU, a maximum 100 foot setback from the PDU, and a minimum 10 foot setback from all other accessory buildings or structures.
 - c. Must be behind the front building line of principal structure, just like other accessory structures.
 - d. Must have a foundation in compliance with Michigan Residential Code and Approved by the Livingston County Building Department.
 - e. Detached ADUs must meet the definition of "Dwelling Unit, Site Built" in Article 19.
- (9) **Minimum PDU Size.** The minimum floor area of the principal dwelling unit may not decrease below the minimum dwelling unit floor area requirements for the zoning district due to renovations to create an attached ADU.
- (10) **Amount of ADUs per Parcel.** No more than 1 ADU per parcel shall be constructed. ADUs are only permitted on lots with a single-family dwelling. ADUs are not permitted on parcels with existing duplexes/apartments. If there is a trailer coach or a mobile home in addition to the PDU, then an ADU is not permitted.
- (11) **Utilities.** An ADU shall be connected to potable water and sanitary/septic facilities in compliance with the County Health Department.
- (12) **Design Character.** The ADU shall not detract from the appearance of the lot as a place of one (1) residence and shall be aesthetically compatible in appearance, as determined by the Zoning Administrator. Appeals of the Zoning Administrator's decisions in this regard shall be to the Zoning Board of Appeals.
- (13) **Blight, Building, and Fire Codes.** The PDU shall comply with the Oceola Township Blight Ordinance. The ADU shall require approval from the Livingston County Building Department and shall demonstrate compliance with the Building and Fire Codes for Single Family Residential uses after receiving Land Use Permit Approval.

- (14) **Renting an ADU.** Leasing or renting an ADU for remuneration is prohibited.
- (15) **Driveway and Parking.** No additional off-street parking spaces are required for ADUs. In no case shall an ADU be permitted to have a separate driveway connecting to an adjacent roadway. However, there can be a branch off the main PDU driveway.
- (16) **Garage.** A garage may be erected to serve an ADU subject to the following requirements:
- a. **An ADU garage shall be part of the same structure as the ADU.**
 - b. **An ADU garage shall meet the same height requirements as any other accessory building.**
- (17) **Authorization.**
- a. **No ADU shall be established prior to the issuance of a land use permit for the ADU.**
- G. **Business Restriction.** Accessory Buildings on residential lots shall only be used for business purposes if the business in question is an approved Home Occupation.
- H. **Temporary Occupation of Trailer Coaches.** The temporary occupancy of trailer coaches shall be subject to the following conditions, upon application to Zoning Administrator:
- (1) During the period of construction of a new building but not to exceed a period of one (1) year, the owner of such dwelling premises, and members of such owner's immediate family, shall be permitted to occupy as a temporary residence one trailer situated at such construction site provided that such owner intends to occupy as a residence such dwelling upon completion of its construction.
 - (2) Such trailer coach shall not be located between the established set-back line and the public roadway or curb line of such premises.
 - (3) The trailer coach shall contain sleeping accommodations, a flush toilet, and a tub or shower bath adequate to serve the occupants thereof.
 - (4) The sanitary facilities of the trailer coach for the disposal of sewage and waste shall be properly connected to the public sewage system available at such premises, and in case such a system is not then available then properly connected to the existing septic tank sewage disposal system which is approved by the Livingston County Health Department for the dwelling to be constructed thereat.
 - (5) No occupant of the trailer coach shall cause or permit waste to be discharged upon the ground surface of the premises, nor cause or permit refuse to accumulate or remain thereat.
 - (6) The water facilities of the trailer coach shall be properly connected to the public water system available at such premises and in case such system is not then available, then properly connected to the existing well stem which is approved by the Livingston County Health Department for the dwelling to be constructed thereat.
 - (7) A performance bond in the amount of One Thousand Dollars (\$1,000.00) shall be provided to ensure the removal of the trailer coach at the termination of the permit.
- I. **Electric Vehicle Charging Stations.** Electric Vehicle Charging Stations shall be exempt from the requirements of this Section (5.02), and may be placed anywhere on a lot, provided that any adjacent parking lot or driveway maintains all minimum dimensions required by this Ordinance.



Section 14.01

LARGE SCALE DEVELOPMENTS.

Developments in the RR, R-1 or R-2 Districts containing more than eight (8) dwelling units shall be developed only as Planned Unit Developments in accordance with [Chapter 7](#) of this Ordinance. The regulating of such development on a PUD basis will enable the Township to control and moderate the size, scope and impact of such development.

Section 14.02

KEEPING OF ANIMALS.

- (A) All domesticated animals must be kept in safe and sanitary conditions appropriate to their species and in compliance with all County, State, and Federal standards.
- (B) The following domesticated animals may be kept on a residentially zoned lot.
- (1) **Pets.** Up to 5 pets may be kept in any dwelling unit. Animals under six months in age shall not be counted towards the limit. Approved kennels and pet daycares may exceed those limits. Landlords, homeowners' associations, or similar entities may regulate the number of pets per dwelling unit but shall not permit more than five total pets (over six months in age) per dwelling unit. Pets may only reside permanently on non-residential property in approved kennels, pet daycares, and retail operations that sell pets. The Zoning Administrator shall have the jurisdiction to determine that an animal is considered a pet under this ordinance, based on the definition in [Chapter 21](#). Appeals of the decision of the Zoning Administrator shall be to the Zoning Board of Appeals.
 - (2) **Livestock.**
 - (a) A Zoning Permit shall be required to keep livestock on a lot, except in the AG district, where no permit shall be required. The Zoning Administrator shall have the jurisdiction to determine that an animal is considered livestock under this ordinance, based on the definition in [Chapter 21](#). Appeals of the decision of the Zoning Administrator shall be to the Zoning Board of Appeals.
 - (b) Intensive Livestock Operations shall require Special Land Use Approval in the AG district and are prohibited in all other districts. If approved, Intensive Livestock Operations shall be exempt from the limits in Subsection (f) below.
 - (c) All structures for the keeping of livestock shall be set back at least sixty (60) feet from all lot lines and be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties.
 - (d) All manure shall be stored at least one hundred (100) feet from any property line and the all manure handling must follow the State of Michigan's Generally Accepted Agricultural Management Practices.
 - (e) Horses shall be provided with a covered shelter and an outdoor fenced area of adequate size to accommodate all horses kept on the premises.
 - (f) In the AG District, there shall be no maximum number of livestock on a lot, provided that the lot meets the relevant GAAMPs.
 - (g) Livestock and other farm-type animals listed in the table below are prohibited in the R-3, R-4, C-1, C-2, and I-1 Districts.



(h) The following number of livestock shall be allowed on a given lot.

Livestock	RP and RR	R-1 and R-2
Cattle, Horses, Sheep, Goats, etc. (i)	1 per acre, in any combination.	Prohibited on lots under 3 acres. On lots over 3 acres, 1 per acre, in any combination.
Pigs	Prohibited	Prohibited
Chickens	1 per 0.1 acres (ii)	(ii)
Poultry and Livestock Birds, other than Chickens	Prohibited	Prohibited

(i) "Cattle, Horses, Sheep, Goats, etc." may include all other fur-bearing livestock not specifically listed at the discretion of the Zoning Administrator.

(ii) Chickens in the RP, RR, R-1, and R-2 districts shall be subject to the following:

- a) *In the R-1, and R-2 districts, all lots except those in platted subdivisions (other than assessor's plats and supervisor's plats) or site condominiums may have up to four chickens. Lots over two (2) acres may have an additional chicken per quarter of an acre (0.25 acres), up to 15 chickens. In calculating the permitted number of birds, the number of acres shall be rounded down to the nearest tenth of an acre.*
- b) *Roosters shall not be permitted.*
- c) *The slaughtering of any chicken is prohibited.*
- d) *Chickens must be provided with and kept within a covered enclosure at all times. Chickens shall not be allowed to roam the lot or any other property.*
- e) *The enclosed area where the chickens are kept shall be located within the rear yard and shall be setback at least twenty (20) feet from any side or rear lot line.*
- f) *The enclosed area where the chickens are kept shall be maintained in a clean and neat manner at all times.*
- g) *Materials used to construct the enclosed area shall exclude tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.*
- h) *Chicken feed must be kept in rodent-proof, sealed containers.*

(C) **Exotic or Wild Animal.** The keeping of exotic or wild animals shall be prohibited on all lots, except where a human occupant of the lot has a valid permit or license from the State of Michigan to keep the animal. An up-to-date copy of the permit or license must remain on file with the Township at all times, and all provisions and conditions of the permit or license must be met at all times. An exotic or wild animal permitted to be kept as described in this section shall count towards the maximum number of pets permitted on a site. The Zoning Administrator shall have the jurisdiction to determine that an animal is considered exotic or wild under this ordinance, based on the definition in [Chapter 21](#). Appeals of the decision of the Zoning Administrator shall be to the Zoning Board of Appeals.

(D) **Waivers.** The Planning Commission may approve a property owner to keep animals that would not otherwise be permitted by this section, provided that:

- (1) The animal does not meet the definition of "Exotic or Wild Animal" in [Section C](#).



- (2) The animal(s) are unlikely to cause negative impacts on neighboring properties, either because of the character of the animals, or the physical layout of the site in question.
- (3) The site has appropriate facilities for the keeping of the animal(s) and is an appropriate size.
- (4) At least one of the following criteria is met:
 - (a) The property owner can show a legitimate need for the animal(s) to be on the property, such as a medical or service need,
 - (b) The owner could not practically keep the animal(s) on another site; or
 - (c) Removing the animal(s) from the site would cause harm to the animal(s).

Section 14.03

MINOR HOME BASED BUSINESSES.

- (A) The operation of a Home Based Business shall be conducted solely within a Dwelling Unit and not within any detached Accessory Building located upon the Lot, except for incidental storage of equipment or materials.
- (B) The Home Based Business shall be conducted solely by the person or persons occupying the Lot as their principal residence, except that up to four (4) employees may meet at the Main Building solely for purposes of receiving instructions regarding work to be conducted at another site or collecting equipment or materials necessary for their work at another site, or documents related to their employment.
- (C) The Dwelling Unit shall have no exterior evidence, to indicate the Dwelling Unit is being utilized for a Home Based Business.
- (D) The floor area used for the Home Based Business shall not exceed twenty-five percent (25%) of the Gross Floor Area of the Dwelling Unit.
- (E) Only goods produced as part of the Home Based Business, or goods clearly incidental to the operation of the Home Based Business may be sold on the Lot, and the goods shall not be visibly on display from outside the Main Building, nor shall any Sign or device be permitted advertising such sale.
- (F) No outside storage of equipment is permitted on the Lot.

Short-Term Rental Definition & Regulation

Short-term Rental: Is defined as, "Any Non-Owner Occupied Dwelling that is rented, occupied, or used by any person(s) for a period of less than 30 days." This use is defined herein for the express purpose of defining this as a use that is not permitted in any Zoning District throughout Peninsula Township.

(e) Rental of Non-Owner-Occupied Dwelling: (REVISED BY AMENDMENT 182)

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

3. A property owner may not advertise in any manner a non-owner occupied dwelling is available for rent, for use, or for occupancy for less than 30 days.

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AAC 40 Acre Recommendation

June 25, 2025

Recommendation for amendment to ordinance 201

It is the recommendation of the Agricultural Advisory Committee that zoning ordinance amendment 201 be amended in the following way-

Parcel Requirements for all farm processing operations regulated by amendment 201, should be 40 acres.

The operations designated as Wholesale, which currently requires 40 acres, Retail (Indoor seating), which currently requires 50 acres, and Retail (Outdoor seating), which currently requires 60 acres, should all have the same parcel requirement of 40 acres, allowing the farmer to choose how to operate, as they see fit.

On behalf of the AAC,

A handwritten signature in black ink, appearing to read "John Kroupa", with a long, sweeping flourish extending to the right.

**John Kroupa
Chairman**