



PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

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

November 10, 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. October 14, 2025 Zoning Rewrite Ad-Hoc Committee Special Meeting
9. **Business**
 - a. Ordinance Language Review & Discussion
 - i. Signage
 - ii. Accessory Dwelling Units
 - iii. Chickens
 - iv. Up Next: Commercial Land Uses Conceptual Feedback
 - b. Confirm Next Steps
 - i. Next Planning Commission Mtg: December 2, 2025
 - ii. Next Zoning Rewrite Ad Hoc Committee Mtg: December 8, 2025
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.

PENINSULA TOWNSHIP

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

**Planning Commission
Zoning Rewrite Ad Hoc Committee
October 14, 2025, 1:00 p.m.
Township Hall
Minutes**

- 1. Call to Order by Alexander at 1:03 p.m.**
- 2. Pledge**
- 3. Roll Call – Present:** Alexander, Hornberger; **Excused/Absent:** Beard; **Planner of Record:** Elise Loud; **Virtual:** Representatives from McKenna & Associates
- 4. Approve Agenda**

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

Motion Passes

- 5. Brief Citizen Comments:**

Katharine Pike, 6095 Red Fox Run: acknowledges the township’s intent to restrict short-term rentals to preserve the peninsula’s natural character. Asks whether the committee has considered the potential for houseboats to be used as short-term rentals, noting that increased shoreline density and dock usage could create unregulated rental activity if not addressed in future regulations.

Curt Peterson, 1356 Buchan Drive: recommends forming a joint citizen and township subcommittee to study short-term rentals in greater detail. States belief that the 2009 ordinance restricted short-term rentals only in the R-1A residential zone, not in agricultural areas, and that prior planners confirmed this interpretation. Notes that recent FOIA requests yielded no recorded complaints about short-term rentals and questions whether the township’s lighthouse lodging, located in an agricultural zone, would become a nonconforming use under new rules. References the Agricultural Advisory Committee’s proposal to allow “farm stays” and urges broader community input before finalizing any zoning changes.

David Spinweber, 966 Bayside Drive: reads a statement from another resident expressing concern that new shoreline regulations might require property owners to obtain a special use permit (SUP) and Army Corps of Engineers/EGLE approvals before installing temporary seasonal docks and hoists. Warns this could create unnecessary costs and administrative burdens for shoreline property owners and the township.

Committee/Loud respond that no such requirement exists and clarify that the proposal does not mandate an SUP or EGLE permit for individual docks. Agrees to review the draft language to ensure the misunderstanding did not stem from an error in the document. Notes that current permitting applies only to shared waterfront situations, such as homeowners’ associations, and that recent discussions have focused on simplifying those requirements, not expanding them.

- 6. Communications:** in packet
- 7. Conflict of Interest:** none
- 8. Approve Meeting Minutes**

- a. September 8, 2025 Zoning Rewrite Ad Hoc Subcommittee Regular Meeting**

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

Motion Passes

9. Business

a. Signage

McKenna and Associates review attorney redlines to the draft signage chapter, noting revisions primarily address compliance with Reed v. Gilbert restrictions on content-based regulation. Committee discusses allowable off-premises agricultural signage, sign measurement standards, illumination, and dark-sky compliance. Members request clarification on size and number limits for flags, simplification of sign-area language, and cross-references to existing ordinances. It is confirmed that the proposed 20-square-foot maximum for agricultural signs originated from Ag Advisory Committee research. McKenna will incorporate feedback and attorney guidance before returning a revised draft.

b. Special Use Permits

McKenna outlines updates to the SUP process, including a consolidated table of uses and new criteria defining “minor” versus “major” amendments. Minor amendments must meet seven strict conditions ensuring no change to use, footprint, impact, or approved conditions. Members suggest adding flexibility for small accessory structures (e.g., sheds under a set square footage) and clarifying privacy and economic-impact language. The group agrees to forward these points and potential wording refinements—such as replacing “privacy” with “safety, security, and enjoyment”—to the Planning Commission for further review.

c. Land Use Tables

Committee reviews McKenna’s consolidated land use tables for consistency and accuracy, noting issues such as pet and marina listings. Discussion follows on potential new residential uses, including accessory dwelling units (ADUs) and backyard chickens. Members express interest in allowing ADUs for family or home-office use (not rentals) and find the sample ordinance for chickens—allowing one hen per 0.1 acre, no roosters or slaughtering, and enclosed coops—a reasonable starting point. State daycare standards are reviewed; McKenna will correct zoning inconsistencies to ensure compliance and prepare draft language on these items for future consideration.

d. Short-Term Rentals

Committee reaffirmed that short-term rentals are prohibited in all zoning districts and discussed adding a ban on advertising such rentals to aid enforcement. Legal counsel will review the proposed language for compliance with free speech protections. Committee also recommended relocating the prohibition to a standalone section for clarity before forwarding it to the Planning Commission.

e. 40 Acre Minimum for Processing Facilities

Committee reviews the Ag Advisory Committee’s recommendation to standardize the minimum acreage for all farm processing uses—wholesale, retail indoor, and retail with outdoor seating—at 40 acres. The change aims to lower barriers for agricultural operations while maintaining existing setbacks and buffering requirements. Members agree the proposal aligns with the master plan’s goal of supporting local agriculture and should be advanced to the Planning Commission for discussion and feedback at its November meeting.

10. Brief Citizen Comments

Seth Blackman, Smokey Hollow (unnumbered): Supports allowing accessory dwelling units (ADUs) to help families manage rising housing costs and care for multiple generations. Emphasizes that ADUs should not be used as rentals but as independent living spaces for relatives. Suggests permitting ADUs above garages and matching their height to the primary residence for affordability and efficiency. Also proposes that the township explore regulated short-term rentals as a potential revenue source—suggesting a per-night township fee to offset infrastructure and service costs tied to tourism—while maintaining strict enforcement to prevent neighborhood disturbances.

11. Committee Comments: none

12. Adjournment

Motion to adjourn made by Hornberger, seconded by Alexander.

Motion Passes

Meeting adjourned at 2:36 p.m.



Memorandum

TO: Peninsula Township Zoning Subcommittee
FROM: Christopher Khorey, AICP
 Ethan Senti
SUBJECT: **Guide to Draft Sign Ordinance**
DATE: November 5, 2025

Below, please find a summary of the proposed key policies in the updated Peninsula Township Sign Ordinance. The current draft of the Sign Ordinance has a number of comments and redline revisions from both McKenna and the Township's attorneys, which are important context for the Subcommittee. This memo is intended to summarize the key recommendations to guide the discussion on November 10.

TYPES OF SIGNAGE

In order to comply with *Reed v. Gilbert*, the draft sign ordinance defines signs based on duration and location, rather than content (with the exception of distinguishing between on-premises and off-premises signs, which is allowable according to the Township's attorneys). Therefore, the draft sign ordinance uses the following terms to define types of signs. The terms are "mixed and matched" to designate types of signage (i.e. "Temporary Off-Premises Ground Pole Sign" or "Seasonal On-Premises Wall Sign").

- **On-Premises:** A sign that relates to the use or purposes of the lot it located on.
- **Off-Premises:** A sign that does *not* relate to the use or purpose of the lot it is located on.

- **Short Term:** A sign in place for 3 days or less.
- **Temporary:** A sign in place for 30 days or less.
- **Seasonal:** A sign in place between April 1 and November 8 of any given year.
- **Permanent:** A sign in place indefinitely.

- **Ground Monument Sign:** A freestanding sign with a base that is equal or greater in width to the sign.
- **Ground Pole Sign:** A freestanding sign with a pole or other base that is narrower in width than the sign.
- **Wall Sign:** A sign attached to a wall.
- **Marquee/Canopy/Awning Sign:** A sign attached to a marquee, canopy, or awning.
- **Roof Sign:** A sign attached to a roof.
- **Window Sign:** A sign attached to a window.

- **Illuminated Sign:** A sign that is internally or externally lit.
- **Flashing Sign:** A sign that includes motion or animation.

The following special types of signs are included in the draft ordinance with their own specific rules:

- **Entrance Way Sign:** A sign at the entrance to a residential neighborhood.



- **Flag:** A non-rigid fabric sign.
 - Maximum Number per Lot: 6
 - Maximum Number Attached to Building 1:
 - Maximum Number Per Flagpole: 2
 - Maximum Flagpole Height: 25 feet
 - Minimum Flagpole Setback: 10 feet
- **Incidental Sign:** A small sign intended to be read by people on-site.
 - Shall not exceed 2 square feet in area.
 - No limit on the number.
- **Ingress/Egress Sign:** A small sign located adjacent to entrance/exit/circulation drives.
 - Shall not exceed 2 square feet in area and 3 feet in height.
 - No limit on the number.

The following types of signs are defined in order to prohibit them Township-wide:

- **Electronic Message Sign:** A sign that includes motion or animation.
- **Pennant Sign:** A string of small flags.
- **Portable Message Sign:** A temporary sign on wheels.
- **Sandwich Board Sign:** A temporary “a-frame” sign.

DRAFT SIGNAGE REGULATIONS

The following table denotes where signs are permitted:

	A-1	C-1	R-1A/B/C/D
On-Premises			
Short Term	1 Per Lot	1 Per Lot	1 Per Lot
Temporary	Up to 6 Per Lot	Up to 6 Per Lot	Up to 6 Per Lot
Seasonal	1 per lot	Not Permitted	Not Permitted
Permanent	Entranceway Sign Wall Sign (1 per building) Ingress/Egress Incidental Ground Monument or Ground Pole (1 per lot) Window (1 per window)	Entranceway Sign Wall Sign (1 per building) Ingress/Egress Incidental Ground Monument (1 per lot) Window (1 per window)	Entranceway Sign Ingress/Egress Incidental
Off-Premises			
Short Term	Not Permitted	Not Permitted	Not Permitted
Temporary	1 per lot	1 per lot	1 per lot
Seasonal	1 per lot	Not Permitted	Not Permitted
Permanent	Not Permitted	1 per lot	Not Permitted



The following table summarizes the allowable size of signage:

	A-1	C-1	R-1A/B/C/D
On-Premises			
Short Term	6 square feet	6 square feet	6 square feet
Temporary	6 square feet	6 square feet	6 square feet
Seasonal	20 square feet	Not Permitted	Not Permitted
Permanent	Entranceway Sign: 9 sq. ft. Wall Sign (1 per building): 30 sq. ft. Ingress/Egress: 2 sq. ft. Incidental: 2 sq. ft. Ground Monument or Ground Pole: 20 sq. ft. Window: 3 sq. ft.	Entranceway Sign: 9 sq. ft. Wall Sign (1 per building): 30 sq. ft. Ingress/Egress: 2 sq. ft. Incidental: 2 sq. ft. Ground Monument: 30 sq. ft. Window: 3 sq. ft.	Entranceway Sign: 9 sq. ft. Ingress/Egress: 2 sq. ft. Incidental: 2 sq. ft.
Off-Premises			
Short Term	Not Permitted	Not Permitted	Not Permitted
Temporary	6 square feet	6 square feet	6 square feet
Seasonal	20 square feet	Not Permitted	Not Permitted
Permanent	Not Permitted	30 sq. ft.	Not Permitted

We look forward to discussing this topic on November 10.

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.

(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.

~~(A)(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, ~~that is not attached to a flagpole.~~

~~(1) **Billboard/Highway Sign.** A sign owned by a person, corporation, or the entity that engages in the business of selling the space on that sign and which is designed to be permanently affixed to the ground~~

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

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

(4) **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.

Commented [BK1]: A strict interpretation of Reed would find this language on the content of incidental signs problematic.

(9) Ingress/Egress Sign. A small sign located adjacent to the entrance or exit drives of a development, intended located to identify nearby to the points of vehicular ingress and egress, as well as other circulation elements within the site. for the purpose of traffic safety.

Commented [BK2]: "intended" would require an evaluation of the intent of the message conveyed. To adhere to a strict interpretation of reed, "located" would be better as it references the placement of the sign and not its content.

~~**(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.~~

Commented [BK3]: Under a strict interpretation of Reed, a distinction based on even "directional" signage may be problematic.

~~**(11)(10) Marquee, Canopy, Awning Sign.** An sign attached to a marquee, canopy, or awning projecting from the building.~~

Commented [CK4]: We propose to eliminate this sign type and merge it with ingress/egress.

~~**(12)(11) Pennant Sign.** A small, often triangular, tapering flag used in multiples as a device to call attention.~~

~~**(13)(12) 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."~~

~~**(13) Sandwich Board Sign.** A portable sign, not affixed to the ground, with two sides arranged in an "A-Frame" or triangle such that they meet at the top.~~

(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.~~

~~(18)-~~

~~(19)-~~

~~(20)(17)~~

~~**(B) Sign Definitions, General.**~~

~~(1) Sign. Any device, structure, fixture, or placard using graphics, symbols, or written copy designed specifically for the purpose of advertising or identifying any establishment, product, good, or service, or any other message.~~

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

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

(1) Sign, Off-Premises Commercial Advertising. A permanent or temporary sign that is located off of the premises of the owner or operator of the sign, or off the premises of the operation with which it is associated for commercial and noncommercial purposes 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. Sign, Examples of off-premises commercial signs include, but are not limited to, the following: Off-Premises includes:

(a) Sign, Permanent Off-Premises. Billboard/Highway Advertising. A sign designed to be permanently affixed to the ground, wall, or roof. Subject to the requirements of Section 10.08, Permanent, Off-Premises Signs may include Billboard/Highway Signs, Ground Monument Signs, and Gound Pole Signs.

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.

Sign, Temporary Off-Premises Directional. A sign that is not constructed or intended for long term use and that is not permanently attached to a building window or structure. Temporary Off-Premises Signs may only be placed or erected with permission the lot owner or lessee and may only be displayed for a maximum of 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 30 days. Subject to the requirements of Section 10.08, Temporary Off-Premises Signs may include Banner Signs, Portable Message Sign, Window Signs, or Yard Signs.

(b) (c) Sign, Temporary Directional Agricultural. 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.

(d) Sign, Temporary Seasonal Off-Premises Product Attraction or Agricultural Reader Board. A sign that is constructed in such a manner as to allow its messages and

Commented [BK5]: “advertising” was removed as it gets at the content of the sign. In *Cent. Hudson Gas & Elec. Corp. v. Pub. Serv. Comm’n*, 447 U.S. 557, 561 (1980) the Supreme Court applied intermediate scrutiny to content based regulations of commercial speech. However, the Sixth Circuit has interpreted Reed to require strict scrutiny even for commercial speech regulations. See *International Outdoor v Troy*, 974 F3d 690 (2020). Thus, the most conservative approach would be to remove “advertising” from the definition.

Commented [BK6]: The general category of off-premises signage is solid, but discussion of the message on the sign is more questionable. This proposed language change would refocus the definition on the location of the sign, rather than the content of its message.

Commented [BK7]: Again, regulating a temporary sign differently based on whether it is directional or not, was rejected an content based by the Supreme Court in Reed. Instead of regulating based on the content of the sign, regulations should focus on the duration of display, the location of the sign, or the number of signs that may be displayed.

To accomplish the goal of regulating temporary signs differently between commercial and agricultural uses we suggest using a location based distinction rather than a business use based distinction.

For example: While the definition of “Sign, Temporary” should remain content neutral, the Township could impose separate restrictions on the amount, and size of temporary signs in commercial and agricultural districts, and justify it based on the stated goals of protecting viewsheds and a particular district character.

Commented [CK8]: We propose 30 days as the limit on temporary off-premises signs. This should be a much shorter period of time than Seasonal Off Premises, to ensure that no one tries to use Temporary Off-Premises as a loophole.

Commented [BK9]: This category has the same content based issues addressed above. Language dictating the permissible content of the sign is likely unconstitutional.

I think the intent here is good. The Township wishes to provide the ability to for agricultural operations to display signs during the growing season that can change based on what crops and products are in season.

However, it is unlikely that the Township would be able to allow temporary seasonal signage for agricultural messages without also allowing other commercial messages, religious messages, or political messages to be displayed in this manner.

artistic representations to change or be updated but is not permanently attached to the ground or a structure. ~~A temporary, seasonal off-premises sign~~ Seasonal signs shall not be illuminated or electrified in any manner ~~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.~~ Seasonal Off-Premises Signs may only be placed or erected with permission the lot owner or lessee and ~~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. Subject to the requirements of Section 10.08, Seasonal Off-Premises Signs may include Banner Signs, Portable Message Sign, Window Signs, or Yard Signs.~~

5

(2) ~~Sign, On-Premise~~ ~~On-Premises Commercial Advertising.~~ A permanent or temporary Sign identifying or advertising a commercial business, person, activity, or service located that relates to the use or purposes of the real property where the sign is physically located. ~~on the premises where the sign is located. Examples of Sign, on-premise~~ ~~On-Premises commercial signs includes,~~ but are not limited to, the following:

~~(a) Sign, Permanent On-Premises 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.

~~(a) Sign, Construction Site.~~ A sign identifying a construction site. A sign designed to be permanently affixed to the ground, a wall, or a roof. ~~Subject to the requirements of Section 10.08, Seasonal Off-Premises may include Banner Signs; Entrance Way Signs; Ground Monument Signs; Ground Pole Signs; Illuminated Signs; Incidental Signs; Ingress/Egress Signs; Interior Signs; Marquee, or Awning Signs; and Wall Signs.~~

~~(b) Sign, Temporary On-Premises~~ A sign that is not constructed or intended for long term use and that is not permanently attached to a building window or structure. Temporary On-Premises Signs may only be placed or erected with permission the lot owner or lessee and may only be displayed for a maximum of ~~—~~ 30 days. ~~Subject to the requirements of Section 10.08, Temporary On-Premises Signs may include Banner Signs, Portable Message Signs, Window Signs, or Yard Signs.~~

~~(d)(c) Sign, Seasonal On-Premises.~~ A sign that is constructed in such a manner as to allow its messages and artistic representations to change or be updated but is not permanently attached to the ground or a structure. Seasonal signs shall not be illuminated or electrified in any manner. Seasonal Off-Premises Signs may only be placed or erected with permission the lot owner or lessee and shall only be allowed during April 1st through October 31st and shall be removed by November 8th of any

Commented [BK10]: While the desire to incorporate examples of the on-premises commercial sign use is understandable, any categories should not reference the communicative content of the sign. Instead, the Township could choose to list the types of signs that would be allowable on premises, without reference to content. The edits to this section are an example of what that could look like.

Reed v. Town of Gilbert concurring opinion on permissible sign categories:

- “Rules regulating the size of signs. These rules may distinguish among signs based on any content-neutral criteria, including any relevant criteria listed below.
- Rules regulating the locations in which signs may be placed. These rules may distinguish between free-standing signs and those attached to buildings.
- Rules distinguishing between lighted and unlighted signs.
- Rules distinguishing between signs with fixed messages and electronic signs with messages that change.
- Rules that distinguish between the placement of signs on private and public property.
- Rules distinguishing between the placement of signs on commercial and residential property.
- Rules distinguishing between on-premises and off-premises signs.
- Rules restricting the total number of signs allowed per mile of roadway.
- Rules imposing time restrictions on signs advertising a one-time event.”

Commented [CK11]: Proposing 30 days for Temporary On-Premises as well.

given year. Subject to the requirements of Section 10.08, Seasonal Off-Premises Signs may include Banner Signs, Portable Message Sign, Window Signs, or Yard Signs.

- ~~(e)(d)~~ **Sign, Short-Term "One-Time-Event" On-Premises Event.** A temporary sign relating to a single event or occurrence not to exceed (3) days in duration. 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.
- ~~(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, Farm Roadside Stand.** A sign located on the same premises with a roadside farm stand, subject to Section 10.08 (C), which identifies the roadside farm stand and may also identify products to be sold at the roadside farm 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-Premise On-Premises Identification.** A non-electric on-premises identification sign giving name and address of an occupant.
- ~~(4)~~ **Sign, On-Premise On-Premises Safety.** A sign placed to control access to a property such as: "No Hunting," "No Trespassing," or "Private Property".

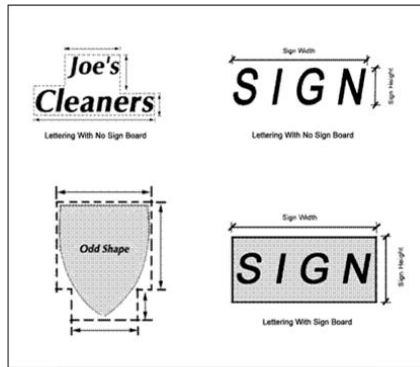
Section 10.03 Substitution Clause **(NEW SECTION)**

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. Sign area shall be computed as follows:

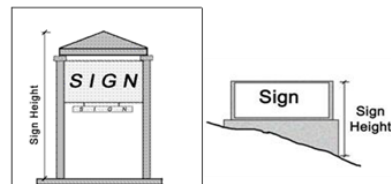
- (1) General Requirements.** Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.
- (2) Individual Letters, Logos, or Irregular Shapes.** Where a sign consists of individual letters, logos, or other messages affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering, logo, or other message. For irregularly shaped signs, the area shall be computed as including the entire area as measured by enclosing the most protruding points or edges of a sign within the area of the smallest rectangle comprising all of the display area of the sign and including all of the elements of the matter displayed (see illustration below).



Measurement of Sign Area

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

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



Sign Height

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

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

~~(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-Premise/On-Premises Location. All signs shall be located on the same premises as the associated use, ~~unless otherwise provided for in this Ordinance except for permitted Off-Premises signs as defined in Section 10.02 and regulated in Section 10.07-10.09.~~

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

~~(1) For residential uses, each dwelling unit~~Each lot may display up to ~~three (3)~~**six (6) flags**, not to exceed ~~150 square feet total. No more than one (1) flag may be attached to the dwelling unit or a related structure~~principal building. No more than two (2) flags may be displayed per flagpole. ~~Under no circumstances shall the total number of flags exceed three (3) flags.~~

~~For non-residential uses, each tenant may display one (1) flag per frontage, up to a maximum of _____ flags, and not to exceed 24 square feet in total sign area. Under no circumstances shall the total number of flags on a particular parcel exceed _____ flags.~~

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

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

(4) All flagpoles must receive a zoning permit from the Zoning Administrator prior to installation. Applications shall specify the proposed location, setback, and height of the flagpole as well as any additional information requested by the City to determine compliance with the City Code. Flagpoles shall not exceed a height of twenty-five (25) feet or the maximum height of structures within the underlying zoning district, whichever is less. Flagpoles must be setback at least ten (10) feet from all property lines. ~~No more than two (2) flags may be displayed per flagpole.~~

(E) 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.

(F) 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.

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

(H) 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.

(I) 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.

(J) **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 signs commercial advertising signs unless explicitly permitted in this Ordinance under Section 10.02(C) and Section 10.08.5 Article.

~~(B)~~(A) Signs that are illegal under applicable Federal, State, or local laws, regulations and/or ordinance.

~~(C)~~(B) Signs that are not clean and in good repair or that have become unsafe or not secure.

~~(D)~~(C) Signs that violate the building code or electrical code.

~~(E)~~(D) Signs not securely fastened to a substantial structure.

~~(F)~~(E) 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)~~(F) Signs that do not comply with the standards in this Ordinance.

~~(H)~~(G) ~~Flashing Signs~~ Electronic Message Signs.

~~(I)~~(H) Portable Message Signs or signs utilizing vehicles, trucks, vans, or other wheeled devices.

~~(J)~~(I) Roof Signs.

~~(K)~~(J) Pennant Signs.

~~(L)~~(K) Any sign that revolves, rotates, moves, or is animated.

~~(M)~~(L) Signs with automated changes in sign appearance.

~~(N)~~(M) ~~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, ~~except where otherwise specifically permitted by this Ordinance.~~

~~(N)~~

~~(P)~~(O) Automated changeable message boards.

~~(Q)~~ Wall signs extending perpendicularly from a building wall.

~~(R)~~

~~(S)~~(P) ~~On-site and off-site directional signs except those specifically allowed by this Ordinance.~~

~~(T)~~(Q) Signs within a road right-of-way except traffic direction and control signs placed by the County Road Commission or Michigan Department of Transportation.

~~(U)~~(R) Signs attached to trees and other vegetation.

~~(V)~~(S) Signs attached to utility structures or poles, including light poles, except by the utility company.

~~(W)~~(T) Signs located in a Clear Vision Area unless permitted in *Error! Reference source not found.* [Section 7.09](#).

~~(X)~~(U) Signs attached to street furniture, such as benches and trash cans.

~~(Y)~~(V) Projected image signs.

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

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

- (A) Memorial/Historical Markers when the site is recognized for its historical significance by a Federal or State agency.
- (B) ~~On-Premise On-Premises Identification Sign (including address signs), which is necessary for public safety and emergency vehicle access. All signage required to be posted by a Township, County, State, or Federal ordinance, law, or order, including, but not limited to, the address of the building. Such signs shall not exceed four square feet unless they are explicitly required to be larger.~~
- (C) Official signs of a non-commercial nature erected by a public utility.

~~On-Premise On-Premises Safety Signs, such as a Private Property/No Hunting/No Trespassing Sign.~~

Formatted: Heading 4,(A) Outline

Commented [CK12]: Removing this category as it is content-based and generally covered by "incidental signs."

(D) Public notice signs placed by public agencies.

(E) Signs ~~required by law or~~ placed by any governmental agency for traffic control in accordance with the Michigan Manual of Uniform Traffic Control Devices.

(F) Incidental Signs. See ~~Section 10.02(B)(8)~~Section 10.02(A)(8).

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

~~(1) or insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device.~~

~~Signs carried by a person if operating lawfully in a public or private road right of way.~~

Commented [BK13]: To avoid content based distinctions, it is best to omit references to the specific content of flags. Instead, we suggest regulating flags based on location and use. We added an example of what this could look like in Section 10.05(D).

Commented [CK14]: Recommend to remove this as signs carried by a person are not generally regulated by zoning.

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—Premises Commercial Advertising Signs (e.g., Real Estate, Construction, Yard Sale/Garage Sale, etc.)	16	6 sq. ft.	4 ft.	N/A	No	No
Short-Term On-Premises Temporary Off-Premises Commercial Advertising (limited to 30 days in a calendar year) (e.g., Events, etc.)	1	6 sq. ft.	4 ft.	N/A	No	No
Temporary Noncommercial Signs (e.g., Political, etc.)	1	6 sq. ft.	4 ft.	N/A	No	Yes
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)	4	24 sq. ft. total	4 ft.	N/A	No	No
Wall or Marquee/Awning (For the following uses not located in a Commercial District: Institutional Uses, Non-Profit Uses, and Government Uses)	1	9 sq. ft.	6 ft.	15 ft.	Yes	Yes
Window Sign	1	30 sq. ft.	N/A	N/A	Yes	Yes
Name Plate	1	3 sq. ft.	N/A	N/A	No	No
On-Premises Safety Signs	1	3 sq. ft.	4 ft. (unless attached to a building)	N/A	Yes	No
Ingress/Egress Signs	1 per 100 feet of frontage or portion thereof	1 sq. ft.	6 ft.	N/A	No	No
Incidental Signs	None	2 sq. ft.	3 ft.	N/A	***	Yes
Interior Directional Sign	None	2 sq. ft.	***	***	***	Yes
Interior Directional Sign	***	2 sq. ft.	***	***	***	Yes

***As per approved site plan or plot plan

Commented [BK15]: This section is where the Township could institute separate regulations for the categories of signs listed above in each Zoning district. Separate regulations would be allowable between districts for all signs. Examples could be:

- Allowing fewer temporary signs in agricultural and residential district than commercial districts.
- Prohibiting Bill Bards in certain districts
- Differing signs sizes depending on the district.

Referencing the content of signs should be avoided.

If the Township desires to limits signage based on a particular use (ex: retail farm processing facility, farmstands, etc.) such regulations may be better placed in portions of the zoning ordinance related to that use. Regulating certain forms of commercial differently than other forms of commercial speech needs to be justified by a substantial governmental interest and the regulation must directly advance that interest while not being more extensive than necessary. *Cent. Hudson Gas & Elec. Corp. v. Pub. Serv. Comm'n*, 447 U.S. 557, 561 (1980).

Commented [CK16]: We recommend combining this category and “temporary noncommercial”, which we agree has content neutrality concerns.

Commented [BM17]: I believe this addresses signs such as advertising events like book sales or library events. Example of a temporary sign placed at the Firehouse was cited.

(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) Permanent Off-Premises	1	30 sq. ft.	10 feet	15 feet	No	Yes
Permanent On-Premises Ground Monument Sign	1	30 sq. ft.	10 feet	15 feet	Yes	Yes
Permanent On-Premises Wall or Marquee/Awning	1	30 sq. ft.	N/A	N/A	Yes	Yes
Window Sign	1 per window	3 sq. ft.	N/A	N/A	No	No

(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 Farm Stands, Food Processing Plants, and Winery/Farm Processing Facilities only)	1	9 sq. ft.	6 ft.	N/A	No	No
Seasonal On or Off-Premises Agricultural Directional Freestanding Signage*	1	20 sq. ft.	8 ft.	N/A 15 feet**	No	Yes
On-Premises Commercial Advertising Signage and Entrance Way Signage Permanent On-Premises Freestanding Sign	1	20 sq. ft. (20 sq. ft. additional for seasonal placards)	8 ft.	15 feet**	Yes	Yes
Permanent On-Premises Wall or Marquee/Awning***	1	30 sq. ft.	N/A	N/A	Yes	Yes
Window Sign***	1 per window	3 sq. ft.	N/A	N/A	No	No

Commented [CK18]: The allowable size of Seasonal Off-Premises Signs is still up for discussion.

*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 \(Clear Vision Area\)](#)

***Shall not be attached to residential buildings.

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

- (A) General Lighting.** If illumination is allowed by this Ordinance, such illumination shall conform to the requirements of ~~Error! Reference source not found. Section 8.07.~~
- (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 Figure 10-1 Figure 10-1.~~ All electronic message center signs and other internally illuminated signs shall be equipped with a photocell and automatic

Commented [CK19]: Make sure this cross reference is correct. Should be to dark skies section in current ordinance.

Formatted: PTZO Link

dimmer, and a cut sheet for the sign must be submitted to the Township at the time of permit application showing compliance with these requirements.

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

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

Section 10.11 Section 10.10 Nonconforming Signs (NEW SECTION)

- (A) Removal of Nonconforming Signs.** If the owner of a sign or the premises on which a sign is located changes the location of a building, property line or sign, or changes the use of the land or building so that any sign on the premises is rendered nonconforming, such sign must be removed or made to conform to this Article.
- (B) Lawful Existing Signs.** Any sign lawfully existing at the time of adoption of this Article which does not fully comply with all provisions shall be considered a legal non-conforming sign and may be permitted to remain as long as the sign is properly maintained, there is no increase in nonconformity, and the sign is not detrimental to the health, safety, and welfare of the community.
- (C) Continuance.** A nonconforming sign shall not be:
 - (1) Expanded or changed to another nonconforming sign.
 - (2) Relocated or structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, placement or design of the sign.
 - (3) Repaired or re-erected after being damaged if the repair or re-erection of the sign would cost more than 50 percent of the cost of an identical new sign.
- (D) Alteration.** 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.

Commented [BM20]: Question was asked about the addition of an Amortization clause to sunset non-conforming signs. This issue should be raised with Legal counsel.s

Commented [BK21R20]: We advise not adding amortization clause. Considering this is a zoning ordinance, this would likely fit within the holdings of [De Mull v. Lowell, 368 Mich. 242, 118 N.W.2d 232 \(1962\)](#) and [Adams Outdoor Adver. v. City of E. Lansing, 439 Mich. 209, 483 N.W.2d 38 \(1992\)](#) that held a zoning provision could not set a timeline for termination of a nonconforming sign use.

~~Section 10.12~~Section 10.11 Appeals and Variances (currently part of Table 7.11.6)

- (A) Any person aggrieved by any decision, ruling or order may make an appeal to the Zoning Board Appeals in accordance with ~~Error! Reference source not found. Section 13.06~~ of this Ordinance. In addition to meeting the Basic Conditions of ~~Error! Reference source not found. 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.
 - (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.



Memorandum

TO: Elise Loud
FROM: Christopher Khorey, AICP
 Ethan Senti
SUBJECT: Accessory Dwelling Units Amendment
DATE: October 21, 2025

Below, please find draft zoning language to permit and regulate Accessory Dwelling Units in Peninsula Township.

SECTION 3.2 DEFINITIONS

The following definitions would be added to Section 3.2 in the appropriate place alphabetically.

ACCESSORY DWELLING UNIT (ADU), ATTACHED: A second, smaller dwelling unit developed within an existing single-family house (such as a basement, attic, or addition).

ACCESSORY DWELLING UNIT (ADU), DETACHED: A second, smaller dwelling unit developed within a detached accessory building.

CONSISTENCY AMENDMENTS

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

Section 6.2.2.2.a Accessory Buildings: Accessory buildings such as farm buildings and a detached garage for the storage of automobiles shall be permitted with a single- family dwelling; provided, however, that the farm buildings and garage shall comply with the setback restrictions and side yard requirements in Section 7.2.11. Accessory dwelling units are permitted, but must meet the requirements of Section 7.2.11.8.

Section 6.7.2.1.a (Proposed New Section):

Accessory Buildings: Accessory buildings such as farm buildings and a detached garage for the storage of automobiles shall be permitted with a single- family dwelling; provided, however, that the farm buildings and garage shall comply with the setback restrictions and side yard requirements. Accessory dwelling units are permitted, but must meet the requirements of Section 7.2.11.8.

Section 6.7.2.2.a (Proposed New Section):

Accessory Buildings: Accessory buildings such as farm buildings and a detached garage for the storage of automobiles shall be permitted with a two-family dwelling; provided, however, that the farm buildings and garage shall comply with the setback restrictions and side yard requirements. Accessory dwelling units are not permitted accessory to a two-family dwelling.



ACCESSORY DWELLING UNIT TEXT AMENDMENT (NEW SECTION 7.2.11)

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

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:** No ADU shall be constructed on a lot smaller than 50,000 square feet.
3. **Minimum ADU Size:**
 - a) Attached ADUs must be at least 300 square feet.
 - b) Detached ADUs must be at least 600 square feet.
4. **Maximum ADU Size:**
 - a) Attached ADUs shall not exceed 1/3 the gross floor area of the Principal Dwelling Unit.
 - b) Detached ADUs shall not exceed 800 square feet.
 - c) Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.
5. **Setbacks.** ADU's shall not be located in the front yard must meet the required minimum setbacks of the corresponding zoning district for Principal Buildings as described in Section 6.8. Detached ADUs must be setback at least 25 feet from the Principal Dwelling Unit.
6. **Height:** ADUs shall not exceed the maximum allowable height for Principal Buildings in the Zoning District they are located within,
7. **Lot Coverage.** ADU's shall count towards all lot coverage maximums of the corresponding zoning district.
8. The Principal Dwelling Unit must be owner occupied.
9. ADUs have a foundation in compliance with Michigan Residential Code and Approved by the Livingston County Building Department.
10. **Amount of ADUs per Parcel.** No more than 1 ADU per parcel shall be constructed.



11. An ADU shall be connected to potable water and sanitary/septic facilities in compliance with the County Health Department.
12. **Renting an ADU Prohibited.** Leasing or renting an ADU for remuneration is prohibited.
13. **Driveway and Parking.** No additional off-street parking spaces are required for ADUs. In no case shall an ADU be permitted to have a separate driveway connecting to an adjacent roadway. However, a branch off the main Principal Dwelling Unit driveway may be created to serve the ADU.



Memorandum

TO: Elise Loud
FROM: Christopher Khorey, AICP
 Ethan Senti
SUBJECT: Chickens Amendment
DATE: October 21, 2025

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

CONSISTENCY AMENDMENTS

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

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

Section 6.2.2.5 The Keeping of Domestic Pets: Provided that all pets are so maintained as to not constitute a public nuisance and provided further that in the event the same are horses or livestock, then the sheltering structure shall be at least two hundred (200 feet) from any lot line and the pasturing area shall be at least one hundred (100 feet) from any lot line, and both the pasturing area and the sheltering structure shall be at least two hundred (200 feet) from any well or residence. The keeping of chickens must be in conformance with Section 7.2.10.

Section 6.7.2.5: Raising and keeping of pets, including but not limited to, dogs and cats, and other small animals such as poultry, rabbits, and goats. Kennels, as defined in Section 3.2, require a Special Use Permit.- The keeping of chickens must be in conformance with Section 7.2.10.

NEW SECTION 7.2.10

Section 7.2.10 Keeping of Chickens

- (1) **Land Use Permit Not Required.** No Land Use Permit shall be required for the keeping of chickens. However, upon finding a violation of the requirements of this Section, the Township may order physical alterations to a site and/or the removal of some or all of the chickens, in order to correct the violation.
- (2) **Right to Farm Act.** Chickens raised in conformance with the Generally Accepted Agricultural Management Practices adopted by the Michigan Department of Agriculture and Rural Development, shall not be subject to this section, consistent with the Michigan Right to Farm Act.
- (3) **Number of Chickens.** Up to the following number of chickens shall be permitted on a lot, subject to the requirements of this Section.



- a. **A-1 District:** 10 chickens per acre. In calculating the allowable number of chickens, the area of the lot shall be rounded to the nearest tenth of an acre.
 - b. **R-1A, R-1B, R-1C, R-1D, and C-1 Districts:** 4 chickens per acre. In calculating the allowable number of chickens, the area of the lot shall be rounded to the nearest quarter acre.
- (4) Roosters shall not be permitted.
- (5) The slaughtering of any chicken is prohibited.
- (6) 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.
- (7) The enclosed area where the chickens are kept shall be located within the rear yard and shall be setback at least twenty (20) feet from any side or rear lot line, and at least 50 feet from any body of water.
- (8) The enclosed area where the chickens are kept shall be maintained in a clean and neat manner at all times.
- (9) Materials used to construct the enclosed area shall exclude tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.
- (10) Chicken feed must be kept in a rodent-proof, sealed container.

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