

PENINSULA TOWNSHIP

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

1. **Call to Order by Beard at 1:04 p.m.**
2. **Pledge**
2. **Roll Call – Present:** Alexander, Beard, Hemming (Ag Advisory Liaison); Township Planner of Record -- Elise Loud; **Virtual:** Brad Misner & Ethan Senti from McKenna Associates
3. **Approve Agenda**

Motion to approve the agenda as written.

Motion Passes

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

Fred Swaffer, 1045 Gray Road: speaks on behalf of the Old Mission Citizens Coalition and presents a letter from its president, Doug Mansfield, citing survey results indicating public concern about the township’s direction. States that the Coalition supports conducting a new, data-driven survey and public hearings before revising the master plan or zoning ordinance. Urges the township to pause current zoning efforts related to farming and agritourism until decisions are grounded in objective standards, state law, and factual studies, emphasizing the economic fragility of farming and the need to protect its long-term viability on Old Mission Peninsula.

Donald Coe, 211 Midtown Drive: speaks regarding the agenda item on backyard chickens, drawing on his experience with the state agriculture commissioner and the City of Traverse City. Notes that Traverse City successfully adopted a backyard chicken ordinance and remarks on the importance of fencing/coop placement to prevent impacts on neighboring properties, stating that no issues have arisen under city ordinance.

5. **Communications: Curt Peterson, recent email to suggest rental time length for ADUs**
6. **Conflict of Interest: none**
7. **Approve Meeting Minutes**

- a. November 10, 2025 Zoning Rewrite Ad Hoc Committee Special Meeting

Motion to approve the minutes made by Alexander, seconded by Hemming.

Motion Passes

8. **Business**

- a. Ordinance Language Review and Discussion
 - i. Special Use Permit Revision Process

Committee reviews proposed revisions to the special use permit (SUP) approval process, referencing a McKenna Group memo and redlined ordinance. Consultants explain that the revisions reduce overly subjective standards by removing phrases such as “substantial improvement” and “not materially diminish economic value,” while retaining requirements that uses align with the master plan, zoning ordinance, and avoid community harm. Members acknowledge public concern about loss of discretion, clarify that discretion remains through revised criteria, and note that this represents a shift likely to require further discussion and possible refinement. Beard suggests the PC needs more discussion on retaining the “substantial improvement” standard.

Committee discusses how to distinguish minor from major SUP amendments, focusing on accessory structures. Members express concern that small changes, such as the library shed, currently trigger burdensome review, and question the usefulness of footprint changes as a standard. Discussion centers on using clearer, more objective thresholds and treating accessory buildings for permitted uses as minor changes, while reserving full review for expansions or changes to special uses. Members emphasize the need for enforceable standards, continued planning commission oversight of minor change determinations, reduced procedural burden, and further input from staff and consultants, particularly regarding agricultural properties.

ii. C-1 Commercial Zoning District Land Uses

Committee begins discussion noting that broader questions about use by right versus special use for commercial uses. Agricultural activities will be addressed later in the project plan. Consultants present draft standards for restaurants, outdoor dining and entertainment associated with food service, and retail uses, proposing these be permitted by right in the commercial district if they meet defined site and operational standards. Members request clearer cross-references to the 2019 draft ordinance and favor relying on the township noise ordinance, rather than separate limits, to ensure consistency, while also discussing practical issues such as trash collection, snow removal, and parking maintenance. Questions on whether establishments serving alcohol should be treated differently from other commercial uses due to potential public safety and nuisance concerns arise. Members weigh local control against state liquor regulation, acknowledge possible legal constraints, and agree not to impose restrictions to address problems that may not exist locally. Committee decides to seek input from local restaurant owners before determining whether additional standards are warranted. Members also raise questions about the breadth of the current retail definition, potential prohibited uses such as marijuana, and the need to avoid overly fragmenting retail categories. Discussion concludes with general support for moving toward a use-by-right framework in the commercial zoning district, recognizing this as a significant change from the current ordinance and subject to further refinement and feedback.

iii. Planning Commission Update: Signage, Accessory Dwelling Units, Backyard Chickens

Committee reviews recent Planning Commission feedback on signage, accessory dwelling units (ADUs), and backyard chickens. Members summarize that the Planning Commission generally supports allowing various sign types, such as feather flags and sandwich boards, with limits on location, size, and number, and agrees to provide more detailed written recommendations to staff and consultants. Regarding ADUs, the committee reports that the PC discusses allowing ADUs as accessory to both single-family and two-family dwellings, recommends updating fine structures related to rentals, and advises moving the prohibition on ADU rentals to a more prominent position in the ordinance. Members acknowledge a public suggestion to allow rentals of 30 days or longer but note there is no recommendation to change the current prohibition, recognizing that the restriction limits ADU practicality but aligns with the original intent of accommodating family needs rather than increasing density or rental income. The discussion includes consideration of lot size and dimensional standards as a possible middle ground between current requirements and a more permissive approach, with agreement that further refinement and potential community input may be warranted. On backyard chickens, members report that the PC expresses general comfort with the draft regulations, with discussion limited to practical clarifications such as requiring covered coops and restricting other types of fowl. The committee concludes the update by offering to forward detailed PC notes to staff and consultants.

iv. Zoning Rewrite Project Plan Update

Committee reviews the zoning rewrite project plan and notes that the timeline has slipped, while recognizing progress on all major topic areas. Members agree to allow staff to manage schedule adjustments and focus committee input on the sequencing of work rather than specific dates. The group confirms that agricultural zoning will remain deferred pending guidance from ongoing litigation, while shoreline and natural resource regulations, including tree cutting and slope protections, are identified as priorities that should move forward sooner with input from state, federal, and watershed experts. Discussion over need to revisit residential zoning

districts and density assumptions and agree that recent amendment work should be integrated more clearly with the 2019 draft ordinance. Consensus reached that four priority amendments—shoreline, special use permit process, signage, and short-term rentals—should first be adopted into the current code and then incorporated into the 2019 draft, which will serve as the primary working document going forward. Staff and consultants are asked to return with a revised project plan outlining this transition and the proposed order of remaining topics.

- b. Confirm Next Steps
 - i. Next Planning Commission Mtg: January 5, 2026
 - ii. Next Zoning Ad Hoc Committee Mtg: January 14, 2026

Committee discusses its meeting schedule and notes that meetings are currently held on the second Monday of the month. Members acknowledge feedback that Mondays can be challenging due to holidays and scheduling conflicts, but also note that the Planning Commission has moved to the first Thursday of each month, creating improved spacing between meetings. After considering alternatives and confirming that upcoming Monday holidays do not pose an immediate conflict, the committee agrees to keep the current meeting schedule for now and revisit adjustments if needed.

9. Brief Citizen Comments:

Fred Swaffer, 1045 Gray Road: commends the committee’s focus on public education and urges a restrained approach that avoids duplicating state and federal regulation. He states that alcohol-related issues are not currently a local concern, encourages coordination with law enforcement, and questions how township survey results are being incorporated into the zoning rewrite. Committee members respond that the survey is intended to inform master plan updates, which in turn guide zoning revisions and help align the process with current community priorities. Swaffer encourages the committee to plan for future community needs, citing housing shortages and the potential role of limited ADU flexibility, and emphasizes reliance on existing state alcohol licensing and enforcement rather than additional zoning controls.

Sally Erickson, 2228 Kaukauna Court: supporting the use of expert input on shoreline regulation, noting that state and federal agencies generally defer to township ordinances. She advises against a “clean slate” approach, recommending instead that the township build on existing ordinances, the 2019 draft, and new survey data, and expresses concern that delaying shoreline action will perpetuate safety issues.

10. Committee Comments:

Hemming: provides an update on the agricultural advisory committee’s work, explaining that what began as a “small processor” effort is evolving into a comprehensive farm ordinance addressing wineries and other agricultural uses, with timing influenced by ongoing litigation. Loud updates committee on her transition, noting that her contract is ending, that township staff will assume planning responsibilities during the interim, and that future support roles remain undecided. Members express appreciation for public input, affirm that the zoning rewrite is intended to modernize outdated provisions while preserving what works, and confirm that the survey and master plan updates are central to guiding future zoning decisions.

11. Adjournment

Motion by Alexander to adjourn, seconded by Beard.

Motion passes

Meeting Adjourned at 3:19 p.m.