PENINSULA TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN

ZONING ORDINANCE AMENDMENT
ORDINANCE NO. 206

At a meeting of the Township Board of the Township of Peninsula, Grand Traverse County Michigan, held at the Township Hall on July 14, 2026, at 7:00 p.m., Township Board Member Milliken moved to adopt the following ordinance, which motion was seconded by Township Board Member Alexander.

An Ordinance to amend the Peninsula Township Zoning Ordinance to provide for the docks, boat hoists, and related structures along the shoreline of Grand Traverse Bay, as well as the amendment to the intent and purpose of the Great Lakes Shoreland Regulations, and the amendment to the regulations of Shared Waterfront Ownership.

PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

SECTION 1. FINDINGS. The Township of Peninsula ("Township") finds that:

a. The Township is currently completing a review of its Zoning Ordinance ("Zoning Ordinance"); the efforts to amend existing regulations to address current and evolving aspects of land use and development include the uses and definitions relating to the land and shoreline bordering Grand Traverse Bay. The Zoning Ordinance intends to exercise the Township's power to regulate the health, safety, and general welfare of the Township by regulating the use of land and structures within zoning districts to ensure that land uses are appropriately sited and compatible with surrounding uses.

b. The Township seeks to amend its shoreline regulations to promote the health, safety, and welfare of the Township and its natural environment.

c. The Township seeks to regulate the land, including inherent riparian rights, to protect the health, safety, and welfare of the public and to conserve the natural environment, its resources, and to ensure compatibility with surrounding land uses.

d. The Township seeks to adopt regulations that allow for safe and effective land use along Grand Traverse Bay that protects and conserves the natural environment, its resources, and is compatible with surrounding land uses.

e. By nature of the Township's unique peninsular geography, the Township has a high amount of residential shoreline property, which presents the need to specifically regulate shoreline impacts and development to be consistent with overall planning goals and harmonious uses along the shoreline.

f. Appropriate regulation of shared shoreline uses is necessary to prevent adverse land use effects such as incompatible and conflicting land uses, depletion of natural resources, nuisance impacts that affect neighboring properties, or other adverse impacts that could negatively impact the public health, safety, and welfare.

g. Accordingly, the Township has retained consultants to review and to revise the shoreline land use regulations in the above-mentioned zoning districts to meet the needs of the Township.

SECTION 2. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add to Section 3.2 Definitions, the following:

a. **Clubhouse.** A communal building or space used by a particular group or club that is primarily used for events and meetings.

b. **Dock.** A seasonal structure extending along shore or out from the Shoreline into a body of water, to which boats may be moored, including an attached Dock Patio or attached Swimming Platform.

c. **Dock Patio.** A structure that serves as an outdoor gathering space extending along or from shore, often accommodated by seating and tables. A Dock Patio may be attached to a Dock or may be freestanding.

d. **Freestanding Water Equipment.** A seasonal structure used for waterfront purposes that is either (1) moored in the water independently of a Dock, or (2) placed along or attached to the Shoreline but not connected to a Dock. Freestanding Water Equipment includes, but is not limited to, freestanding Swimming Platforms, freestanding Dock Patios, freestanding Boat Hoists, and freestanding Jet Ski Hoists.

e. **Hoist, Boat.** A mechanical structure used to lift and hold boats in and out of the water.

f. **Hoist, Jet Ski.** A mechanical structure used to lift and hold jet skis in and out of the water. For the purposes of this Ordinance, two (2) Jet Ski Hoists are equal to one (1) Boat Hoist.

g. **Joint-Use Dock**. A single Dock that serves two (2) adjacent waterfront Lots under separate ownership, where the property owners have agreed to share use of the Dock in lieu of each Lot having its own Dock.

h. **Shoreline.** The edge of a body of water, where the water and shore meet.

i. **Swimming Platform.** A structure that serves as a platform for persons to enter and exit the water and typically includes at least one (1) ladder to climb up from the water. A Swimming Platform may be attached to a Dock or may be freestanding.

SECTION 3. AMENDMENT TO ZONING ORDINANCE. Subsection (c) Boat Hoists and Docks of Zoning Ordinance Section 6.2.2 (2) Uses Permitted by Right (in R-1A Districts: Rural and Hillside Residential) is amended to read as follows in its entirety:

(c) Boat Hoists, Docks, and Freestanding Water Equipment:

1) **Purpose and Intent.** The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral and/or riparian rights along Grand Traverse Bay. The Township wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay extending from one's property will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land and related littoral and/or riparian rights, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

2) **Scope of Requirements.**

    a. No Township permit shall be required to install a Dock or Freestanding Water Equipment, but all Docks or Freestanding water Equipment must comply with the requirements of this Section.

    b. When a Dock or Freestanding Water Equipment is used in connection with property under Shared Waterfront Ownership (as defined in Section 3.2), the requirements of Section 7.4.2 shall also apply.

3) **Maximum Number.** No Lot shall have more than one (1) Dock, except that Lots with a Shoreline width greater than 300 feet shall be permitted one (1) additional Dock.

4) **Point of Contact.** All Docks, to the extent they contact the Shoreline, shall maintain only one (1) point of contact with the Shoreline.

5) **Width.** No Dock shall be greater than eight (8) feet wide, with the exception of Dock Patios and Swimming Platforms, which shall be limited by the setback restrictions imposed in this Section.

6) **Offseason Storage.** For the health, safety, and general welfare of the Township citizens, and to ensure safe and effective land use along the Shoreline, all Docks, Hoists, and equipment shall be taken out of the water between November 1 and April 1. Offseason storage shall be subject to the following regulations:

    a. Unless stored offsite, all items must be stored within the lot lines of the Shoreline Lot which the Dock serves.

    b. All items must be stored at least four (4) feet above the Shoreline and/or as far landward as practicable, given existing site conditions. Modification of the

Shoreline area or removal of natural features (e.g., trees, bluffs, or rocks) to achieve compliance is not required.

c. All Dock sections and Freestanding Water Equipment must be neatly stacked and all Boat and Jet Ski Hoists consolidated.

d. Storage shall not be permitted within a road right-of-way.

7) **Dwellings and Clubhouses Prohibited.** No Dwelling Units or Clubhouses are allowed on any Dock.

8) **Dock Placement.** All Docks are regulated by applicable County, State, and Federal requirements, including but not limited to, the Army Corps of Engineers and the Michigan Department of Environment, Great Lakes, and Energy (EGLE), as well as the following:

a. **Non-Shared Docks.** No portion of a Dock, including but not limited to Dock Patios, Swimming Platforms, and Docks placed entirely within the water, shall be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point each side lot line hits the Shoreline.

b. **Joint-Use Docks.** The side setback requirement applying to the lot line dividing the Lots shall be waived for adjoining waterfront Lot owners placing a Joint-Use Dock. However, the setback requirement from lot lines abutting the two-adjacent Lots using the Joint-Use Dock shall be 15 feet. When the land itself (and not just the Dock) is Shared Waterfront Ownership, the requirements of Section 7.4.2. shall also apply.

c. **Shared Waterfront Ownership.** Docks, including but not limited to Dock Patios, Swimming Platforms, and Docks placed entirely within the water, shall be located at the nearest point to the center of the Lots under Shared Waterfront Ownership. No portion of a Dock, including but not limited to Dock Patios, Swimming Platforms, and Docks placed entirely within the water, shall be located within the 15-foot setbacks measured from a straight line extending perpendicular to the Shoreline from the point each side lot line hits the Shoreline.

d. **Equipment.** All equipment associated with a Dock and stored on land shall be set back at least 15 feet from the side lot line. Storage shall not be permitted within a road right-of-way.

9) **Freestanding Water Equipment Placement**. Freestanding Water Equipment are regulated by applicable County, State, and Federal requirements, including, but not limited to the Army Corps of Engineers and the Michigan Department of Environment, Great Lakes, and Energy (EGLE), as well as the following:

    a. **Riparian Access Requirement.** Freestanding Water Equipment shall be located within and accessed through the riparian area of the Lot it serves. The riparian area shall be determined by extending each side lot line perpendicular to the Shoreline.

    b. **Waterside Setback**. No portion of Freestanding Water Equipment shall be located within the 15-foot minimum setbacks measured from a straight line extending perpendicular to the Shoreline from the point each side lot line hits the Shoreline.

    c. **Hoists**. Freestanding Boat Hoists and Jet Ski Hoists shall count toward the maximum number of Hoists permitted. The total number of Boat Hoists and Jet Ski Hoists, whether attached to a Dock or freestanding, shall not exceed the limits established for each Lot.

10) **Undeveloped Lots.** Waterfront Lots without a principal building may contain a Dock and related equipment, provided that all requirements of this section are met.

11) **Lighting.** All Dock and Freestanding Water Equipment lighting must be downward facing and fully shielded and shall only be lit when the Dock or Freestanding Water Equipment is being actively used, or the lighting is needed for safety. This paragraph also applies to any permanent dock.

12) **Hoists.** The maximum number of Boat and Jet Ski Hoists allowed on a waterfront shoreline is as follows:

    a. Non-Shared Docks or unattached Boat and Jet Ski Hoists for shoreline width of:
        (i) Less than forty (40) feet may have no Boat Hoists;
        (ii) More than forty (40) feet but less than seventy (70) feet may have no more than two (2) Boat Hoists; and
        (iii) More than seventy (70) feet may have no more than three (3) Boat Hoists in total.
    b. Joint-Use Docks may have no more than six (6) Boat Hoists.
    c. Shared Waterfront Ownership Docks for waterfront shoreline width of:
        (i) Less than forty (40) feet may have no Boat Hoists;

(ii) More than forty (40) feet but less than seventy (70) feet may have no more than two (2) Boat Hoists; and

(iii) More than seventy (70) feet may have no more than three (3) Boast Hoists per fifty (50) feet of shoreline width, calculated on a fractional basis with arithmetic half rounding to the nearest integer (and rounded down when the fraction is 0.50 or less).

For example: 167-foot width: 167/50 = 3.35 x 3 = 10.02 rounded to 10 hoists and 197-foot width: 197/50 = 3.94 x 3 =11.92 rounded to 12 hoists

d. In determining the number of Boat Hoists allowed for each waterfront, the 15-foot side setbacks must be met through a reduced number of Boat Hoists and/or dock/hoist configuration. Fractional basis with arithmetic rounding is only available for Shared Waterfront Ownership Docks.

13) **Non-Commercial Use Only.** Docks, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water Equipment, provided such equipment is owned by and for the personal use of the Shoreline Lot owner, or their family or guests only. Such structures shall not be leased, rented, licensed, or used for any commercial purpose.

14) **Administrative Waiver**

In the event that two adjacent Lots cannot both comply with the Dock Placement requirements of this Section at the same time, or in the event that compliance with the requirements of this Section is not practical due to the unique circumstances of the Lot, Lots, or relevant Shoreline, the owners in question may apply for a waiver of such requirements to the Zoning Administrator, who shall conduct a review that includes, but is not limited to, consideration of the following factors:

a. the hardships or expenses that may be incurred by either Lot owner for any prudent alternative Dock configuration or placement that would comply with this Section,
b. the safety risks or liabilities imposed on either Lot and Lot owners by providing for a waiver, and
c. the best interests of both Lots and adjacent Lots is maintained while carrying out the intent and spirit of this Section to protect the public health, safety, and general welfare of persons, property, and Lots along Grand Traverse Bay even if a waiver is granted.

Any approval of a waiver request by the Zoning Administrator from this Section in order to resolve noncompliance with this Section shall only be when there are no conforming arrangements that would reasonably ensure the public health and safety of the parties involved.

The Zoning Administrator shall conduct a meeting with the Lot owners, gather any additional requested information, and issue a timely decision in writing either denying the waiver request, granting the waiver request, or granting the waiver request with conditions. Such decisions are subject to a right of appeal to the Zoning Board of Appeals.

Waivers shall be reviewed annually by the Zoning Administrator prior to installation of a Dock to ensure continued compliance and interest from both parties.

SECTION 4. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 6.7.2 Uses Permitted by Right (A-1 District: Agricultural):

18) Docks, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water Equipment shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, Boat Hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).

SECTION 5. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add the following to Section 7.4.1 Intent and Purpose (Great Lakes Shoreland Regulations):

The purpose of this Section is to promote public health, safety, and general welfare by regulating the effective and efficient use of land and related littoral or riparian rights along Grand Traverse Bay. The Township wishes to regulate and protect the natural environment and guarantee that any proposed land use or activity along Grand Traverse Bay will be compatible with the Township's intent of protecting the natural environment, conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. The permitted land uses, as defined in this Ordinance, shall comply with the provisions of this section and are only permitted as authorized by this section.

SECTION 6. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance shall be amended to add Section 7.4.2, Shared Waterfront Ownership, to state as follows:

Shared Waterfront Ownership Lots shall meet the following requirements:

(1) **Intent**: It is further the intent of this section to reduce the conflicts that occur between residential single-family use and shared waterfront use by clearly delineating the regulations on Docks and other waterfront land uses on Shared Waterfront Ownership lots.

(2) **Minimum Shoreline Width Requirements**:

No. of Property Owners with Shared Waterfront Ownership Rights	Minimum Lot Width
Two	100
Three	150
Four	200
Over Four	Five Additional Feet Per Family

(3) Docks, Dock Patios, Boat Hoists, Jet Ski Hoists, and Freestanding Water Equipment shall be subject to the applicable regulations of Section 6.2.2(2)(c). The storage of boats, boat hoists, and other equipment shall also be subject to the applicable regulations of Section 6.2.2(2)(c).

(4) No dwelling units or clubhouses are allowed on Lots under Shared Waterfront Ownership.

(5) A portable toilet is allowed, provided it is not placed within a road right-of-way, not closer than twenty (20) feet from the Shoreline, and not within the 15-foot minimum setback from the side lot line. Fencing or screening landscaping shall be placed between the toilet and the nearest lot line, the road, and the water.

SECTION 7. SEVERABILITY. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective August 4, 2026, after publication of a notice of adoption of this Ordinance unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402. Enforcement action for a violation of this amendment will be deferred until January 1, 2027.

SECTION 9. REPEAL AND FORM. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed. Further, the Township may use the content of this Ordinance and compile/insert it into the existing Peninsula Township Zoning Ordinance document including making any technical provision numbering or clerical revisions as necessary for the compilation.

YEAS: Chown, Sanders, Clark, Milliken, Alexander, Wunsch, Sanger

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

Maura Sanders

Maura Sanders, Peninsula Township Supervisor

CERTIFICATION

I hereby certify that:

The above is a true copy of an Ordinance adopted by the Peninsula Township Board at a duly scheduled and noticed meeting of that Township Board held on July 14, 2026, pursuant to the required statutory procedures.

A summary of the above Ordinance was duly published in the Record Eagle newspaper, a newspaper that circulates within Peninsula Township, on July 28, 2026.

Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.

I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on July 28, 2026.

ATTESTED:

Rebecca Chown, Peninsula Township Clerk