WHITEWATER TOWNSHIP PLANNING COMMISSION SPECIAL MEETING

October 19, 2026 6:00 pm

Whitewater Township Hall 5777 Vinton Road, Williamsburg, MI 49690

Phone: 231-267-5141 / Fax: 231-267-9020

Click this link to view the meeting live: https://www.youtube.com/@whitewatertownship/live

At this time, the PC invites everyone to silence their electronic devices

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at clerk@whitewatertownshipmi.gov at least 5 days in advance of the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Microphone check**
4. **Roll Call of PC Members**
5. **Set/Adjust Meeting Agenda**
6. **Declaration of Conflict of Interest pertinent to agenda items**
7. **Public Comment – In house: Any person shall be permitted to address a meeting of the PC.**

   Public comments shall be carried out in accordance with the following rules and procedures.

   a. There are two opportunities for public comment: now and at the end of the meeting.
   b. Comments shall be directed to the PC with questions directed to the Chair.
   c. Any person wishing to address the PC shall speak from the lectern and state his/her name and address.
   d. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
   e. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC member's questions.
   f. Public comment shall be limited to 3 minutes per person.
   g. In order to avoid unscheduled debates, the PC generally will not comment or respond to public comment. Silence or non-response from the PC should not be interpreted as disinterest.

8. **Approval of Minutes of Previous Meeting:**
9. **Correspondence:**
10. **New Business:**

    a. Bundle 2 presentation by Andy Aamodt/ Giffels Webster
       i. 2.A.: Land Division Act Amendment and Private Roads
       ii. 2.B.: A-1 District Dimensional Standards and Permitted Uses.
       iii. 2.C.: Agri-Tourism Update
       iv. 2.D.: Rezoning of R-1 District Boundary
       v. 2.E.: Supply Road Setback Requirements
       vi. 2.F.: Fence Heights

11. **Next Meeting:** 11/4/2026 Wednesday at 7pm

12. **Public Comment – In house: Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the rules and procedures as stated at the first public comment period.**

13. **PC Discussion/Comments**

14. **Continuing Education:**

15. **Adjournment**

memorandum

DATE: October 9, 2026

TO: Whitewater Township Planning Commission

FROM: Andy Aamodt, AICP, Giffels Webster

SUBJECT: Bundle 2 Introduction and Policy Memo

Introduction

Several needed updates to the zoning ordinance have been identified through the Master Plan update, the Giffels Webster Zoning Audit, and community engagement. These were prioritized and put together in "Bundle" form within the Work Plan that was presented in August and September of 2025 at the start of this process. The "Bundle" is arranged by items that can be grouped together, ideally introducing an entire bundle in one Planning Commission meeting, and then having detailed review of text at subsequent meetings. This can help the Planning Commission balance easier amendments with those that may involve more study, thought, and conversation. Then, Planning Commission will hold an eventual public hearing on the Bundle.

Bundle 1 was recently completed in July 2026. We are now kicking off Bundle 2, which will again focus on some of the priorities that were recognized in the Master Plan, the Zoning Audit, and the community survey. Additionally, we have added key items to this Bundle that are of pressing need, particularly the Land Division Act's amendment and how the Township plans for future land divisions accordingly.

Bundle 2 will consist of the following:

- **Bundle 2.A.: Land Division Act Amendment and Private Roads.** This was not identified in the Work Plan, or the Master Plan or Zoning Audit. However, this responds to the recent Senate Bill 23 of 2025, which was signed into State law in December of 2025, and is a **high** priority.
- **Bundle 2.B.: A-1 District Dimensional Standards and Permitted Uses.** Initiated in the Master Plan, this was identified as **high** priority in the Work Plan.
- **Bundle 2.C.: Agri-Tourism Update.** Initiated in the Master Plan, this was identified as **high** priority in the Work Plan. Agritourism typical includes farm stands, remote tasting rooms, and related agribusiness land uses.
- **Bundle 2.D.: Rezoning of R-1 District Boundary.** This was not identified in the Work Plan, however was discussed by the Planning Commission at their October 7, 2026 meeting and deemed a **high** priority.
- **Bundle 2.E.*: Supply Road Setback Requirements.** Initiated in the Master Plan, this was identified as **medium** priority in the Work Plan.
- **Bundle 2.E.*: Fence Heights.** This was not identified in the Work Plan, however was discussed by the Planning Commission in February of 2026 and deemed a **medium** priority.

*We anticipate Supply Road Setback Requirements and Fence Heights being one part seeing the extent of work may be more minimal.

Land Division Act Amendment and Private Roads

Note that the Township intends to draft a Land Division Ordinance separate from this zoning process; this zoning process will likely involve synchronizing zoning ordinance definitions and procedures to that Ordinance. Additionally, as described below, private roads should be considered and may be regulated in the zoning ordinance.

Master Plan Guidance

Principle #2: *Preserve Whitewater Township's Rural Character*

- Goal 2-B: *Adhere to the Generalized Future Land Use Plan illustrating agricultural areas where rural qualities of the landscape are to be preserved.*
- Goal 2-E: *Re-adopt a private roads ordinance.*

Future Land Use Plan: The following strategies within the *Agricultural* future land use designation support future zoning amendment consideration:

- *Review and update land division regulations concerning the number of splits allowed and related dimensional standards.*
- *Develop an advisory rural design manual for people building homes or laying out subdivisions to assist them in making good choices concerning preserving rural character elements when developing property. Such a manual would address issues such as limiting the installation of high-maintenance turf grass, installing landscape plantings (with native plant material) as visual blocks to screen or frame landscape elements, limiting impervious surfaces, etc.* While a manual would be intended to guide best practices and recommendations for owners/developers, we can investigate the feasibility of requiring woodland and natural feature preservation techniques in agricultural development and in private road development.

Zoning Audit Guidance

None. This topic came about from the recent State Land Division Act amendment.

Policy Considerations

The Land Division Act, amended by Senate Bill 23 of 2025, authorizes an increase in the number of parcels allowed when a property owner divides their land. For a helpful summary of the Land Division Act amendment, see this MSU Extension article. Two key changes include the following:

- An increase, from four to 10, of the number of parcels that the first 10 acres of a parent parcel can be divided into, starting on March 24, 2027. This means 10 parcels of 1 acre could be created by a 10 acre portion of a parent parcel, essentially giving an ability to create a small "subdivision" without having to go through subdivision plat or condominium subdivision process.
- Municipality will be allowed to authorize the further partitioning of land into more parcels than allowed under Section 108 if the land meets standards established by the municipality.

Initial Planning Commission policy considerations in addressing this Land Division Act amendment may include the following:

- While it is our understanding that the Township will amend their land division ordinance accordingly, Planning Commission should consider aspects that play hand-in-hand with larger sets of land divisions, such as private roads. A private road ordinance can regulate access to divided parcels, including Fire Department and emergency services access.
- A private road ordinance can also address stormwater management and require the road to follow woodland and natural feature preservation requirements. It is important to keep in mind some of rural design considerations Commissioner Mielnik presented at the October 7th Planning Commission meeting, some of which are also found in the Master Plan on pages 96-97.
- Some ordinances create a number-of-parcels threshold for applying a private road ordinance. Neighboring East Bay Township requires any access to four or more parcels, not already accessed by a public road, to build a private road and fully comply with their private road ordinance. Three or fewer parcels may utilize access through an “unregulated private road” which could be a private access easement that does not need to follow ordinance requirements. The Planning Commission should consider the threshold for applying this private road ordinance: should it apply to four or more parcels, or should it be set lower (stricter) at three or more parcels?

Existing Zoning Ordinance Reference

The Land Division Ordinance is separate from the zoning ordinance, and there is no private road ordinance currently regulating private roads in the Township.

A-1 District Dimensional Standards and Permitted Uses

Master Plan Guidance

Principle #1: *Respect the Rights of the Township Residents and Property Owners*

- Goal 1-B: *Revisit the "cumulative" nature of the zoning ordinance in terms of permitted and special uses to avoid future land use conflicts.* Specifically, the Plan's action step states the *Whitewater Township Zoning Ordinance is a "cumulative-type" ordinance that allows property zoned for specific uses also to be used for less intensive uses. For example, an area zoned for multi-family use also allows a single-family use. An area zoned for industrial use also allows residential uses. While some cumulative elements are desirable, best zoning practices generally include removing totally cumulative zoning systems and replacing them with a more intentional list of permitted and special uses for each zoning district that are appropriate to the character and scale of that district. This helps eliminate land use conflicts.*

Principle #2: *Preserve Whitewater Township's Rural Character*

- Goal 2-A: *Have regulatory tools in place to preserve and maintain rural character.*
- Goal 2-B: *Adhere to the Generalized Future Land Use Plan illustrating agricultural areas where rural qualities of the landscape are to be preserved.* Specifically, the Plan's policy summary stresses that agricultural areas should not be "holding areas" where more intensive development opportunities arise. Those more intensive development areas should be in districts such as R-1, R-2, R-3, commercial, or industrial districts.

Future Land Use Plan: The following strategy within the *Agricultural* future land use designation support future zoning amendment consideration:

- *Further investigate increasing the minimum lot size in the Agricultural Zoning District from 40,000 square feet to a larger parcel. This will require more investigation into public attitudes, consideration of the impact on farmers, and consensus-building among Planning Commission members and the Township Board.*

Zoning Audit Guidance

The audit brought up the following discussion points:

- The Township should discuss alternative energy and any standards that may be needed. It is important to note that the current zoning ordinance does not address solar energy systems or wind energy systems.
- The Township should consider home occupations.

However, because both of the above points are currently in the zoning rewrite Work Plan as separate bundles and not budgeted for here, we suggest visiting use-specific requirements for these land uses at that future time. We wanted to include this note as a reminder that these should be addressed later.

Policy Considerations

- In conjunction with the recent Land Division Act amendment discussed above, the Township may desire moving forward with requiring a larger minimum lot size in A-1 to discourage “stealth” condominium subdivisions – land divisions that look like a condominium subdivision but are not in technicality, and may dodge subdivision requirements that were recently carefully amended. Should the minimum lot size in A-1 be increased from the existing 40,000 square foot minimum?
    - Note, if the Township is concerned about creating nonconforming lots, a provision could be added to make clear that existing nonconforming lots can still be developed on, they just can’t be split further or shrunk in a way that decreases conformity.
- Should the cumulative zoning strategy which permits R-2 uses (which means permitting R-1 uses, too) in this A-1 district be removed? This way, a more intentional listing of permitted land uses in A-1 can be kept. It’s also unclear if the phrase “permitted and as regulated in the R-2 district” means special uses of R-2, and consequently R-1, are permitted in A-1 as well.
- Planning Commission should consider if the following uses feel too intense for agricultural areas, and may be more appropriately encouraged elsewhere: residential care facilities and nursing homes; places of worship; and commercial campgrounds.
- Planning Commission should consider if community gardens – to encourage opportunities for recreation, education, economic development, open space preservation, and local food sources – should be permitted in the A-1 district.

Existing Zoning Ordinance Reference

- Section 4.10 regulates uses in the A-1 district
- Section 4.12 contains the dimensional requirements table for all zoning districts.

Agri-Tourism Update

Master Plan Guidance

Principle #2: *Preserve Whitewater Township's Rural Character*

- Goal 2-A: *Have regulatory tools in place to preserve and maintain rural character.* Specifically, the Plan's action step states *review and update zoning requirements to further support agricultural tourism.*
- Goal 2-B: *Adhere to the Generalized Future Land Use Plan illustrating agricultural areas where rural qualities of the landscape are to be preserved.*

Zoning Audit Guidance

The audit noted the Township has some standards for value-added farming (also known as agribusiness) and agritourism that could be refined and/or expanded.

Policy Considerations

- Agri-tourism regulations pertaining to wineries, micro-breweries, and micro-distilleries in A-1 is currently in process with the current amendment package being reviewed by Planning Commission. Now, in this bundle, Planning Commission should consider other uses that agricultural (A-1) land may wish to add, and if such uses should be permitted by-right or by special use.
- Planning Commission should consider if the example uses are appropriate under "agri-tourism":
    - Animated barns, such as fun houses or haunted houses
    - Ancillary retail sales and gift shops, such as sale of art, crafts, and antiques.
    - Kitchen facilities for on-premise consumption, such as baked goods, donuts, ice cream, etc.
    - Small-scale entertainment.
    - Sale of agricultural products grown onsite. The "grown onsite" regulations could be considered, such as a minimum of 55% of products be grown onsite.
    - Children play areas.
    - Petting zoos and pony rides.
    - Any other common uses?
- Use-specific requirements should be considered:
    - Minimum lot size for the wineries amendment is 20 acres; Planning Commission could consider using this same requirement.
    - Setbacks for all accessory structures, uses, parking, and overflow parking should be considered.
    - Hours of operation may be considered.
    - Noise ordinance reference should be made.
    - Event regulations, potentially similar to those of the wineries amendment, should be considered.

Existing Zoning Ordinance Reference

- Section 5.10 has brief standards for farming and agricultural activities in the A-1 district.

Rezoning of R-1 Boundaries

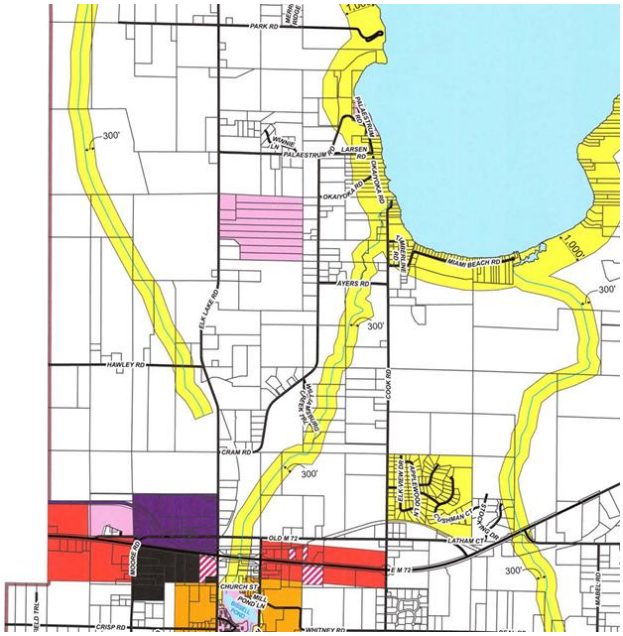
Master Plan Guidance

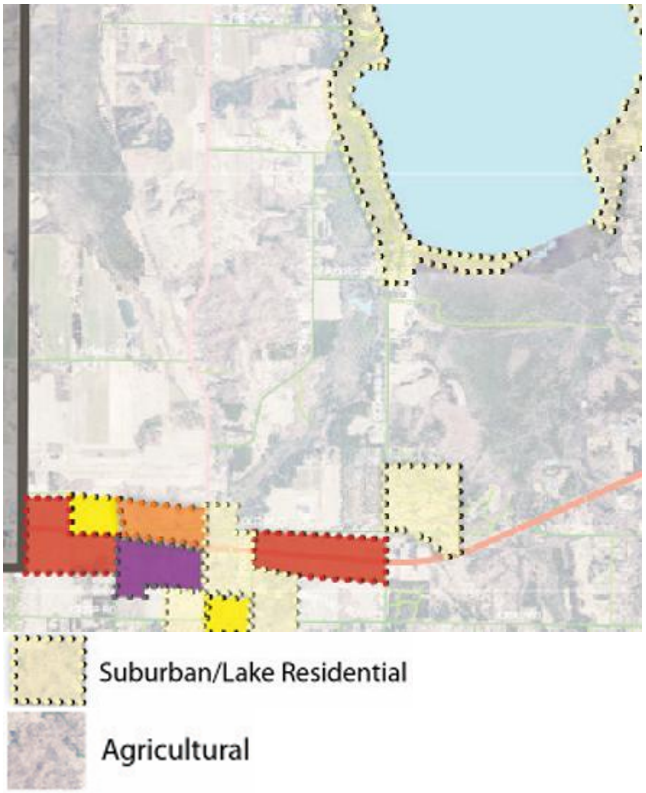
Principle #2: *Preserve Whitewater Township's Rural Character*

- Goal 2-A: *Have regulatory tools in place to preserve and maintain rural character.* Specifically, the Plan's action step states to eliminate the R-1 Zoning District along creeks and tributaries.

Future Land Use Plan: The *Single Family Suburban/Lake Residential* future land use designation supports the action to *eliminate the R-1 Zoning now shown along stream and creek corridors in northern Whitewater Township, replacing it with A-1 Zoning.*

While the current zoning map lines the Tobeco, Williamsburg, and Battle Creeks with R-1 zoned property, the Master Plan's future land use map (page 91) does not intend to keep differentiating these areas apart from the wider future land use designations nearby, which are for the most part *Agricultural* future land use. Please see the below snapshots of the zoning map (left) and the future land use map (right) which shows how the existing zoning and future land use vision disagree.





Zoning Audit Guidance

The audit suggested that as R-1 appears to be a buffer to waterways, a natural feature overlay could instead better protect these sensitive features.

However, the Work Plan did identify reinstating the former environmentally sensitive area standards as a priority task in this zoning rewrite project, but in a later “Bundle.” Perhaps the rezoning of properties to match the Master Plan’s future land use designation can be the first step in this process, and then the specific environmentally sensitive area standards can be drafted later.

Policy Considerations

Planning Commission should discuss rezoning land along the creeks and streams in the northern part of the township to A-1.

Supply Road Setback Requirements

Master Plan Guidance

Principle #2: *Preserve Whitewater Township's Rural Character*

- Goal 2-A: *Have regulatory tools in place to preserve and maintain rural character.* Specifically, the Plan's action step summarizes that updating required setbacks along roads to accommodate new Grand Traverse County Road Commission road classifications for collector and arterial roads may be needed, especially considering Supply Road is an arterial road.

Additionally, on page 112, the Plan narrates the situations in which future rights-of-way should be considered in light of setback requirements.

Zoning Audit Guidance

None. This topic was identified on the Township's working zoning issues document and only briefly mentioned in the Master Plan (see above).

Policy Considerations

It appears Supply Road shoulders were recently added in 2022 or 2023. If the Planning Commission believes future expansion of rights-of-way – for road widening, bike lane additions, pathway additions, etc. – are likely, then regulating setbacks from the Supply Road centerline may be sensible.

Existing Zoning Ordinance Reference

- Section 4.12 contains the dimensional requirements table for all zoning districts, which contains the Supply Road special situation.

Fence Heights

Master Plan Guidance

The Master Plan does not specifically provide any guidance on fences.

Zoning Audit Guidance

None. Planning Commission requested this topic to be reviewed during a bundle.

Policy Considerations

- All residential fences are capped at a maximum six feet in height. Should this six foot height requirement remain?
- How should fences be regulated along roads?
- Non-residential fences are not regulated in the zoning ordinance, except as screen walls. Should there be height or materials requirements for non-residential fences?
- Are permitting requirements for fences sound? Are surveys required, or can neighboring owners sign-off on property line fences?

Existing Zoning Ordinance Reference

- Section 5.12 contains residential fence requirements.

Next Steps

After this October 19th meeting, we will plan on providing draft zoning text that addresses Planning Commission policy feedback.